

owned lands in Chambers and Galveston counties; provided further, that nothing in this act shall be construed to affect or impair any vested rights, or the right to use and maintain any bridge or bridges now in existence, and the right of the owner of any such bridge to use and maintain the same; providing for the reversion of said lands to the State of Texas under certain contingencies, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

## NINETEENTH DAY.

(Saturday, May 18, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Harman.
Acker.	Harper.
Ackerman.	Harrison.
Adkins.	Heaton.
Albritton.	Hines.
Anderson.	Hogg.
Baker.	Holder.
Barnett.	Hopkins.
Bateman.	Hornaday.
Beck.	Jenkins.
Bond.	Johnson
Bounds.	of Dimmit.
Bradley.	Johnson of Smith.
Brice.	Jones.
Brooks.	Justiss.
Carpenter.	Keeton.
Chastain.	Keller.
Coltrin.	Kemble.
Conway.	Kennedy.
Cox of Navarro.	Kincaid.
Cox of Lamar.	King.
Cox of Limestone.	Kinnear.
Davis.	Land.
DeWolfe.	Lemens.
Dunlap.	Long of Houston.
Duvall.	Long of Wichita.
Enderby.	Mankin.
Ewing.	Marks.
Eickenroht.	Martin.
Finn.	Maynard.
Forbes.	McCombs.
Gates.	McDonald.
Gerron.	McGill.
Gilbert.	Mehl.
Giles.	Metcalfe.
Graves	Montgomery.
of Williamson.	Moore.
Graves of Erath.	Mullally.
Hardy.	Negley.
Harding.	O'Neill.

Palmer.  
Pavlica.  
Petsch.  
Pope of Jones.  
Pope of Nueces.  
Purl.  
Quinn.  
Ray.  
Reader.  
Renfro.  
Richardson.  
Rogers.  
Rountree.  
Sanders.  
Savage.  
Shaver.  
Shelton.  
Sherrill.  
Shipman.  
Simmons.  
Sinks.  
Smith.  
Snelgrove.  
Speck.

Stephens.  
Stevenson.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Webb.  
White.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.  
Young.

Absent.

Hefley.	Nicholson.
Hubbard.	Pool.

Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Johnson of Scurry.	Patterson.
Kayton.	Prendergast.
Kenyon.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.
Minor.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. McKean for today, on motion of Mr. Ray.

Mr. Mauritz for today, on motion of Mr. Keeton.

Mr. Finlay and Mr. Lee for today, on motion of Mr. Coltrin.

The following members were granted leaves of absence on account of illness:

Mr. Morse for today, on motion of Mr. Kemble.

Mr. Kincaid for today, on motion of Mr. Kinnear.

Mr. Olsen for today, on motion of Mr. Smith.

Mr. Kayton for today, on motion of Mr. Anderson.

Mr. Warwick for today and the balance of the session, on motion of Mr. Gates.

Mr. Patterson for today, on motion of Mr. Duvall.

Mr. Mosely for today, on motion of Mr. Metcalfe.

Mr. Johnson of Scurry for today, on motion of Mr. Van Zandt.

Mr. Reid for today, on motion of Mr. Adkins.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 100, "An Act amending Article 879 of the 1925 Penal Code, as amended and provided for in House bill No. 161, Chapter 215, page 316, Regular Session of the Fortieth Legislature, so as to provide an open season or period of time when it shall be lawful to kill wild mourning doves in the north zone and in the south zone; excepting certain counties therefrom, and providing for an open season or period of time in which it shall be lawful to take or kill wild mourning doves in such excepted counties, and declaring an emergency."

H. B. No. 117, "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of Hood county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax; and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 101, "An Act creating a more efficient road system for McMullen county, Texas; providing that the county commissioners shall co-operate with the State Highway Department in the establishment, construction and maintenance of designated State highways, to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of McMullen county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; providing that this act shall be cumulative of all road laws of said county, and declaring an emergency."

H. B. No. 179, "An Act authorizing persons who, while acting as a duly

elected and qualified tax collector of any county in Texas, erroneously paid to the county any excess fees of office, to sue the county for the fees so erroneously paid; authorizing payment of a claim without the necessity of suit; providing that the plea of limitation shall not be available to the county as a defense against such action; that the plea of limitation shall not be available to the plaintiff against cross-actions brought by the defending county, and declaring an emergency."

S. B. No. 62, "An Act authorizing the Board of Regents of the College of Industrial Arts to make contracts for the erection of dormitories, etc., and declaring an emergency."

H. B. No. 120, "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 5 of the Acts of the Regular Session of the Forty-first Legislature of Texas, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the counties of Archer, Brooks, Goliad, Gray, Hutchinson, Jeff Davis, Jim Hogg, Leon, Live Oak, Montgomery, Potter, Panola, San Jacinto, Shackelford, Terrell, Throckmorton, Uvalde, Walker, Webb, Zapata and Zavala, and declaring an emergency."

H. B. No. 168, "An Act fixing the fees and compensation of county attorneys in counties having a population of not less than 37,500 nor more than 100,000 inhabitants, and in which counties there are one or more judicial districts, and which have no district attorney; authorizing the employment of deputies, assistants and stenographers to such county attorneys, and fixing the compensation for same; providing a method for the payment thereof; and providing that such county attorneys may collect fees for services rendered in corporation courts, specifying such fees, and declaring an emergency."

H. B. No. 175, "An Act repealing Article 3884, Revised Civil Statutes of Texas, 1925, as amended in 1927, relating to the compensation of deputies and assistants of certain district and county officers, and amending Article 3902 of the Revised Civil Statutes of Texas of 1925, relating to compensation of deputies and assistants of certain district and county officers, and declaring an emergency."

H. B. No. 89, "An Act to authorize the Commissioner of the General Land Office to accept and award all applica-

tions for the repurchase of public school land forfeited and reappraised under Chapter 94, an Act approved October 19, 1925, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for the filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon, and declaring an emergency."

S. B. No. 51, "An Act to amend Article 2024 of the Revised Civil Statutes of 1925, relating to and providing for service of process by a constable in suits in which the sheriff is a party to or interested in said suit, so as to authorize the judge of the court in which any cause is pending to direct the sheriff of some adjoining county to serve any process or writ issued out of such court when it is made to appear that there is likewise no qualified and acting constable in any justice precinct of the county in which such process or writ is to be executed, or each qualified and acting constable in said county is likewise a party to or interested in said suit."

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Pope of Jones, Senate bill No. 117 was ordered not printed.

On motion of Mr. Harper, Senate bill No. 112 was ordered not printed.

On motion of Mr. Purl, Senate bill No. 142 was ordered not printed.

On motion of Mr. Long of Houston, Senate bill No. 70 was ordered not printed.

On motion of Mr. Harman, Senate bill No. 105 was ordered not printed.

#### PROVIDING FOR PURCHASING CEILING FANS.

Mr. Woodruff moved to reconsider the vote by which the resolution relating to ceiling fans was adopted.

The motion to reconsider prevailed.

Mr. Snelgrove offered the following amendment to the resolution:

Amend the resolution by making the number of fans to be purchased not to exceed 13.

The amendment was adopted.

Question then recurring on the resolution, it was adopted by the following vote:

Yeas—77.

Mr. Speaker. Adkins.  
Acker. Anderson.

Baker.	Land.
Bateman.	Mankin.
Bond.	Martin.
Bounds.	Maynard.
Brooks.	Mehl.
Carpenter.	Metcalfe.
Chastain.	Negley.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Navarro.	Pope of Jones.
Cox of Limestone.	Reader.
Davis.	Renfro.
Dunlap.	Richardson.
Duvall.	Rogers.
Ewing.	Rountree.
Finn.	Sanders.
Gates.	Savage.
Gilbert.	Shaver.
Giles.	Simmons.
Graves	Sinks.
of Williamson.	Smith.
Graves of Erath.	Snelgrove.
Harding.	Stevenson.
Harman.	Storey.
Harper.	Tarwater.
Harrison.	Thompson.
Heaton.	Thurmond.
Hogg.	Turner.
Holder.	Van Zandt.
Hopkins.	Wallace.
Hornaday.	Walters.
Johnson	Webb.
of Dimmit.	White.
Johnson of Smith.	Williams
Justiss.	of Sabine.
Keeton.	Williams
Keller.	of Travis.
Kemble.	Young.
Kinnear.	

Nays—24.

Ackerman.	McGill.
Albritton.	Pavlica.
Bradley.	Quinn.
Brice.	Shelton.
DeWolfe.	Sherrill.
Enderby.	Shipman.
Forbes.	Speck.
Gerron.	Stephens.
Jenkins.	Strong.
Kennedy.	Veatch.
King.	Wiggs.
McDonald.	Woodruff.

Present—Not Voting.

Woodall.

Absent.

Barnett.	Jones.
Beck.	Lemens.
Cox of Lamar.	Long of Houston.
Eickenroht.	Long of Wichita.
Hardy.	Marks.
Hefley.	McCombs.
Hines.	Montgomery.
Hubbard.	Moore.

Mullally.  
Nicholson.  
Petsch.  
Pool.  
Pope of Nueces.

Purl.  
Ray.  
Tillotson.  
Waddell.

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	O'Neill.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

Mr. Keller moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 97 WITH SENATE AMENDMENTS.

Mr. Acker called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 97, A bill to be entitled "An Act to amend Articles 6205 and 6221, of Title 109, of the Revised Civil Statutes of 1925, and to amend Chapter 153 of the General Laws of the Forty-first Legislature, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Acker, the House concurred in the Senate amendments by the following vote:

Yeas—101.

Mr. Speaker.	Davis.
Acker.	DeWolfe.
Ackerman.	Enderby.
Adkins.	Ewing.
Albritton.	Finn.
Anderson.	Forbes.
Baker.	Gates.
Barnett.	Gerron.
Bateman.	Gilbert.
Bond.	Giles.
Bounds.	Graves
Bradley.	of Williamson.
Brice.	Graves of Erath.
Brooks.	Hardy.
Carpenter.	Harman.
Chastain.	Harper.
Coltrin.	Harrison.
Conway.	Heaton.
Cox of Lamar.	Hogg.
Cox of Limestone.	Holder.

Hopkins.  
Hornaday.  
Jenkins.  
Johnson  
of Dimmit.  
Johnson of Smith.  
Justiss.  
Keeton.  
Keller.  
Kennedy.  
King.  
Kinnear.  
Land.  
Long of Wichita.  
Mankin.  
Marks.  
Maynard.  
McGill.  
Mehl.  
Metcalf.  
Moore.  
O'Neill.  
Palmer.  
Pavlica.  
Petsch.  
Pope of Jones.  
Purl.  
Quinn.  
Ray.  
Reader.  
Renfro.  
Richardson.  
Rogers.  
Rountree.

Sanders.  
Savage.  
Shaver.  
Shelton.  
Sherrill.  
Shipman.  
Simmons.  
Sinks.  
Smith.  
Snelgrove.  
Speck.  
Stephens.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Webb.  
White.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.  
Young.

Present—Not Voting.

Marks.

Absent.

Beck.	Lemens.
Cox of Navarro.	Long of Houston.
Dunlap.	McCombs.
Duvall.	McDonald.
Eickenroht.	Montgomery.
Harding.	Mullally.
Hefley.	Negley.
Hines.	Nicholson.
Hubbard.	Pool.
Johnson of Scurry.	Pope of Nueces.
Jones.	Stevenson.
Kemble.	Tillotson.

Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.
Minor.	

(Mr. McGill in the chair.)

## RELATING TO SUSPENDING CERTAIN LAW.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 12, Relative to suspending certain law.

Whereas, The Forty-first Legislature passed a law requiring a more comprehensive course of instruction in the history and meaning of the Constitution of Texas and of the United States, etc., and an inclusion of such a course in the subjects offered to all applicants for teachers' certificates and diplomas; and

Whereas, This law is due to become effective June 17, 1929; and

Whereas, Students who are preparing to complete their requirements for certificates and diplomas before August 31, 1929, undertook to carry out in good faith the courses prescribed in the law which was in effect when they began their year's work; and

Whereas, It will be impossible for many students to complete the prescribed courses for their degrees and also to meet these new certificate requirements by August 31, 1929; and

Whereas, The program for the summer session of the colleges in the State were completed before it was possible for the State Department to issue the administrative regulations defining how the new law is to be interpreted in terms of courses; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the enforcement of this new law in all of its provisions be postponed until after the completion of the current school year, August 31, 1929.

The resolution was read second time.

Mr. Keller raised a point of order on further consideration of the resolution at this time, on the ground that you cannot suspend the law by a concurrent resolution.

The Speaker sustained the point of order.

## COMMUNICATION FROM BOARD OF CONTROL.

The Speaker laid before the House, and had read the following communication:

State Board of Control,  
State of Texas.

Austin, Texas, May 14, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives, Capitol.

Dear Mr. Barron: In keeping with the provisions of a resolution passed

by the House of Representatives, the Board of Control got in touch with Mrs. Fannie D. Yoakum, of San Marcos, wife of Mr. Henderson Yoakum's youngest son, and begs to report that, in our judgment, there is no question but that the oil portrait of the Hon. Henderson Yoakum is authentic. Mrs. Yoakum has kindly left this portrait in this office.

If the State desires to purchase it, she has placed the price at \$1500, and, at her request, we are attaching copy of a letter written to her by Dr. Ralph McLellan, of the Pennsylvania Museum and School of Industrial Art, which shows that this is the value he places on the painting. We will be glad to bring the portrait before any committee of the Legislature.

Respectfully submitted,  
STATE BOARD OF CONTROL,  
By R. B. Walthall, Chairman.

(Copy)

Pennsylvania Museum and School  
of Industrial Art,  
Pine and Broad Streets,  
Philadelphia, Pa.

My Dear Mrs. Yoakum:

After having carefully looked at the portrait of Colonel Yoakum, I find it in fairly good condition.

Some time it might be a good thing to have it cleaned, as I observed that it had been oiled and let dry in small drops. These will all come off and the picture have a much fresher look. It appears to have been a good likeness and the work is well executed.

As to the value of the picture, Colonel Yoakum most likely paid \$500 and the expenses of the artist out here. This at the present day would mean three times that amount. It is quite valuable as an heirloom or as a historic document, and you should not set the value any less than the present cost of the picture or \$1500.

Yours very truly,  
RALPH McLELLAN.

Resolution.

Whereas, The late Honorable Henderson Yoakum, a scholar and soldier who brought renown to the name of Texas and contributed to the freedom of the people of this State, is a historical character in the annals of the State of Texas; and

Whereas, In his "History of Texas," he contributed to the preservation of the records of the early history of the State by securing and recording data

in part from the Honorable Sam Houston, formerly President of the Republic of Texas and later Governor of the State; and

Whereas, As a Southern gentleman and patriot, he labored for the annexation of Texas to the United States of America and served his country as duty impelled him in the war between the United States and Mexico; and

Whereas, It has come to the knowledge of the House of Representatives of the Forty-first Legislature that an oil portrait of the Honorable Henderson Yoakum is in existence, available, and of public interest; and

Whereas, It is the duty and proper function of the Legislature of the State of Texas to preserve such paintings and have them placed appropriately in the State Capitol; now, therefore, be it

Resolved, That the Board of Control be and hereby is instructed to inquire into the authenticity, value, and means of securing the possession and ownership of said portrait; and be it further

Resolved, That the Board of Control, after such inquiry, shall and hereby is instructed to report the facts which they shall find in such inquiry to the House of Representatives of the State of Texas.

W. S. BARRON,  
Speaker of the House.

(Speaker in the chair.)

#### CONFERENCE COMMITTEE AP- POINTED ON SENATE BILL NO. 13.

The Speaker announced the following conference committee on Senate bill No. 13:

Messrs. Holder, Shaver, Sanders, Strong and Justiss.

CALL OF THE HOUSE ORDERED.

Mr. Woodruff moved a call of the House for the purpose of securing and maintaining a quorum until 12 o'clock m. today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

#### HOUSE BILL NO. 228 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 228, A bill to be entitled "An Act amending Article 6869 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read third time.

Mr. Van Zandt offered the following amendment to the bill:

Amend House bill No. 228, page 1, line 35, by striking out "justify the payment of," and insert in lieu thereof "pay the."

Signed—Van Zandt, Young.

The amendment was adopted.

House bill No. 228 was then passed by the following vote:

Yeas—100.

Acker.	Keller.
Ackerman.	Kemble.
Adkins.	King.
Albritton.	Kinnear.
Anderson.	Land.
Barnett.	Lemens.
Bateman.	Long of Wichita.
Beck.	Mankin.
Bond.	Martin.
Bounds.	Maynard.
Brice.	McCombs.
Brooks.	McDonald.
Carpenter.	McGill.
Chastain.	Mehl.
Conway.	Metcalf.
Cox of Navarro.	Moore.
Davis.	Negley.
DeWolfe.	O'Neill.
Dunlap.	Palmer.
Duvall.	Patterson.
Enderby.	Pavlica.
Ewing.	Petsch.
Finn.	Pope of Jones.
Forbes.	Purl.
Gates.	Ray.
Gerron.	Reader.
Gilbert.	Richardson.
Giles.	Rogers.
Graves of Erath.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Hardy.	Shaver.
Harman.	Shelton.
Harper.	Sherrill.
Harrison.	Shipman.
Heaton.	Simmons.
Hines.	Sinks.
Hogg.	Smith.
Holder.	Stevenson.
Hopkins.	Storey.
Hornaday.	Strong.
Jenkins.	Tarwater.
Johnson	Thompson.
of Dimmit.	Thurmond.
Johnson of Smith.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Keeton.	Veatch.

Walters. Williams  
Webb. of Travis.  
White. Young.  
Williams of Sabine.

Nays—5.

Kennedy. Stephens.  
Long of Houston. Woodall.  
Snelgrove.

Present—Not Voting.

Cox of Limestone. Marks.

Absent.

Baker.	Nicholson.
Bradley.	Pool.
Coltrin.	Pope of Nueces.
Cox of Lamar.	Quinn.
Eickenroht.	Renfro.
Harding.	Speck.
Hefley.	Waddell.
Hubbard.	Wiggs.
Montgomery.	Woodruff.
Mullally.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Prendergast.
Kenyon.	Reid.
Kincaid.	Wallace.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 22, A bill to be entitled  
"An Act establishing a State sanitary  
code which provides for the prevention  
and control of diseases, etc., and declar-  
ing an emergency."

S. B. No. 82, A bill to be entitled  
"An Act creating and defining by metes  
and bounds Road District No. 3 of Colo-  
rado county, Texas, etc., and declaring  
an emergency."

S. B. No. 86, A bill to be entitled  
"An Act accepting the provisions and  
benefits of an Act of Congress passed  
June 2, 1920, and amended June 5, 1924,  
entitled 'An Act to provide for the pro-  
motion of vocational rehabilitation of

persons disabled in industry or other-  
wise, and their return to civil employ-  
ment,' etc., and declaring an emergency."

The Senate has refused to concur in  
House amendments to Senate bill No. 37  
and requests the House for the appoint-  
ment of a free conference committee to  
adjust the differences. The following  
are appointed as conferees on the part  
of the Senate:

Senators Love, Moore, Witt, Russek,  
and Hardin.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 32 ON SECOND READING.

The Speaker laid before the House,  
on its second reading and passage to  
engrossment,

H. B. No. 32, A bill to be entitled  
"An Act to provide that the transcribed  
notes of the official stenographer of the  
evidence in any civil case tried in any  
district or county court of this State  
may be read in evidence upon subse-  
quent trial of any such case, and de-  
claring an emergency."

The bill was read second time.

Mr. Jenkins offered the following  
amendment to the bill:

Amend House bill No. 32 by striking  
out all of Section 1 and insert in lieu  
thereof the following:

Section 1. The oral testimony heard  
on a trial in the district or county court  
in civil cases may be admitted in evi-  
dence on any subsequent trial of the  
same case under the following restric-  
tions, subject to same objections as if  
the witness were on the stand:

1. When the evidence is taken by the  
court reporter and transcribed and cer-  
tified by the judge.

2. And the opponent to the side of-  
fering the evidence had an opportunity  
to question the witness on the former  
trial.

3. And the party intending to offer  
such testimony gives notice of such in-  
tention to his opponent three days be-  
fore the trial begins.

And amend the caption accordingly.

The amendment was adopted.

House bill No. 32 was then passed to  
engrossment.

#### HOUSE BILL NO. 32 ON THIRD READING.

Mr. Jenkins moved that the consti-  
tutional rule requiring bills to be read  
on three several days be suspended and

that House bill No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—87.

Mr. Speaker.	Moore.
Acker.	Negley.
Ackerman.	O'Neill.
Adkins.	Palmer.
Barnett.	Pavlica.
Bond.	Petsch.
Bounds.	Pope of Jones.
Brice.	Pope of Nueces.
Brooks.	Purl.
Chastain.	Quinn.
Coltrin.	Ray.
Conway.	Reader.
Davis.	Renfro.
DeWolfe.	Rogers.
Duvall.	Rountree.
Enderby.	Sanders.
Ewing.	Savage.
Finn.	Shaver.
Forbes.	Shelton.
Gerron.	Sherrill.
Gilbert.	Shipman.
Giles.	Simmons.
Graves of Erath.	Sinks.
Harman.	Smith.
Harrison.	Snelgrove.
Heaton.	Speck.
Hines.	Stephens.
Hogg.	Storey.
Holder.	Strong.
Hopkins.	Tarwater.
Hornaday.	Thompson.
Jenkins.	Thurmond.
Johnson of Smith.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Kennedy.	Wallace.
Land.	Webb.
Lemens.	White.
Long of Houston.	Williams
Long of Wichita.	of Sabine.
Maynard.	Woodall.
McDonald.	Woodruff.
McGill.	Young.
Metcalfe.	

## Nays—16.

Albritton.	Mankin.
Anderson.	Marks.
Cox of Limestone.	Martin.
Gates.	McCombs.
Hardy.	Mehl.
Johnson	Richardson.
of Dimmit.	Stevenson.
Keller.	Williams
Kemble.	of Travis.

## Absent.

Baker.	Bateman.
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Beck.	Hefley.
Bradley.	Hubbard.
Carpenter.	King.
Cox of Navarro.	Kinnear.
Cox of Lamar.	Montgomery.
Dunlap.	Mullally.
Eickenroht.	Nicholson.
Graves	Pool.
of Williamson.	Walters.
Harding.	Wiggs.
Harper.	

## Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Johnson of Scurry.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.
Minor.	

The Speaker then laid House bill No. 32 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—91.

Mr. Speaker.	Holder.
Ackerman.	Hopkins.
Adkins.	Hornaday.
Baker.	Jenkins.
Bateman.	Johnson of Smith.
Bounds.	Justiss.
Brice.	Keeton.
Brooks.	Kennedy.
Carpenter.	King.
Chastain.	Kinnear.
Coltrin.	Land.
Conway.	Lemens.
Cox of Navarro.	Long of Houston.
Davis.	Long of Wichita.
DeWolfe.	Maynard.
Dunlap.	McGill.
Duvall.	Mehl.
Enderby.	Metcalfe.
Ewing.	Moore.
Finn.	Negley.
Fuchs.	O'Neill.
Gerron.	Palmer.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves	Pope of Jones.
of Williamson.	Purl.
Graves of Erath.	Quinn.
Harman.	Ray.
Harper.	Reader.
Harrison.	Renfro.
Heaton.	Rogers.
Hines.	Rountree.
Hogg.	Sanders.

Savage.	Thompson.
Shaver.	Tillotson.
Shelton.	Turner.
Sherrill.	Van Zandt.
Shipman.	Veatch.
Simmons.	Wallace.
Sinks.	Walters.
Smith.	Webb.
Snelgrove.	White.
Speck.	Williams
Stephens.	of Sabine.
Storey.	Woodall.
Strong.	Woodruff.
Tarwater.	Young.

## Nays—16.

Albritton.	Kemble.
Anderson.	Mankin.
Barnett.	Marks.
Cox of Limestone.	Martin.
Gates.	McCombs.
Hardy.	McDonald.
Johnson	Richardson.
of Dimmit.	Thurmond.
Keller.	

## Present—Not Voting.

Williams of Travis.

## Absent.

Acker.	Jones.
Beck.	Montgomery.
Bond.	Mullally.
Bradley.	Nicholson.
Cox of Lamar.	Pool.
Eickenroht.	Pope of Nueces.
Harding.	Stevenson.
Hefley.	Waddell.
Hubbard.	Wiggs.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Forbes.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 97, "An Act to amend Articles 6205 and 6221, of Title 109, of the Revised Civil Statutes of 1925, and to amend Chapter 153 of the General Laws of the Forty-first Legislature, and declaring an emergency."

S. B. No. 48, "An Act to amend Article 377 of the Revised Civil Statutes of 1925."

S. B. No. 49, "An Act to amend Article 415 of the Revised Civil Statutes of 1925."

S. B. No. 50, "An Act to amend Article 416 of the Revised Civil Statutes of 1925, as amended by Chapter 252 of the General Laws of the Regular Session of the Fortieth Legislature, regulating the class of securities for loans and investments of saving deposits, and declaring an emergency."

## HOUSE BILL NO. 200 ON SECOND READING.

On motion of Mr. Long of Wichita, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 200, A bill to be entitled "An Act to amend Articles 789, 799, 803, 804 and 810, Chapter 4, Title 9, Code of Criminal Procedure of Texas, 1925, by changing the method of carrying into execution the sentence of death pronounced against convicts; fixing the place of execution; prescribing the duties of certain officers incident thereto; repealing all laws in conflict, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 200 as follows:

"Article 804. No persons other than those related to the defendant in the first degree and such assistance as the sheriff may need shall be permitted to witness the execution. In the event the jail of the county of the conviction is not suitable to permit the execution in accordance with the preceding sentence, it shall become the duty of the district judge to fix the place of execution in the nearest county to the county of conviction."

Mr. Kemble moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Petsch, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—65.

Mr. Speaker.	Albritton.
Acker.	Bounds.
Ackerman.	Carpenter.
Adkins.	Chastain.

Coltrin.	Moore.
Conway.	Mullally.
Cox of Lamar.	Negley.
Cox of Limestone.	Pavlica.
Davis.	Petsch.
Enderby.	Pope of Jones.
Finn.	Rogers.
Forbes.	Rountree.
Gilbert.	Sanders.
Giles.	Savage.
Graves of Erath.	Shaver.
Hardy.	Shelton.
Harman.	Sherrill.
Harrison.	Shipman.
Heaton.	Sinks.
Holder.	Smith.
Jenkins.	Snelgrove.
Johnson of Smith.	Speck.
Jones.	Stephens.
Justiss.	Strong.
Keeton.	Tarwater.
Kennedy.	Thompson.
Land.	Thurmond.
Lemmens.	Van Zandt.
Mankin.	Veatch.
Marks.	Waddell.
Martin.	Walters.
Maynard.	Webb.
McGill.	Woodruff.
Metcalf.	

## Nays—44.

Anderson.	Kennedy.
Baker.	King.
Bateman.	Kinnear.
Beck.	Long of Houston.
Bond.	Long of Wichita.
Brice.	McCombs.
Brooks.	O'Neill.
Cox of Navarro.	Purl.
DeWolfe.	Quinn.
Duvall.	Ray.
Gates.	Reader.
Gerron.	Simmons.
Graves	Stevenson.
of Williamson.	Storey.
Harding.	Tillotson.
Harper.	Turner.
Hines.	White.
Hogg.	Wiggs.
Hopkins.	Williams
Johnson	of Sabine.
of Dimmit.	Woodall.
Keller.	

## Present—Not Voting.

Hornaday.

## Absent.

Barnett.	McDonald.
Bradley.	Mehl.
Dunlap.	Montgomery.
Ewing.	Murphy.
Eickenroht.	Nicholson.
Hefley.	Palmer.
Hubbard.	Pool.

Pope of Nueces.	Williams
Renfro.	of Travis.
Richardson.	Young.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Olsen.
Johnson of Scurry.	Patterson.
Kayton.	Prendergast.
Kenyon.	Reid.
Kincaid.	Wallace.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

House bill No. 200 then failed to pass to engrossment by the following vote:

## Yeas—44.

Baker.	Kennedy.
Bond.	Long of Wichita.
Bounds.	McCombs.
Brice.	Mehl.
Brooks.	Metcalf.
Chastain.	Mullally.
Cox of Navarro.	Palmer.
Davis.	Petsch.
Enderby.	Pope of Jones.
Ewing.	Pope of Nueces.
Gerron.	Quinn.
Giles.	Rogers.
Graves	Savage.
of Williamson.	Shaver.
Graves of Erath.	Simmons.
Harding.	Sinks.
Harper.	Thompson.
Harrison.	Turner.
Holder.	Walters.
Hornaday.	Webb.
Johnson	Williams
of Dimmit.	of Sabine.
Keller.	Williams
Kemble.	of Travis.

## Nays—62.

Acker.	Gilbert.
Ackerman.	Hardy.
Adkins.	Harman.
Albritton.	Heaton.
Anderson.	Hines.
Bateman.	Hogg.
Beck.	Hopkins.
Carpenter.	Jenkins.
Coltrin.	Johnson of Smith.
Conway.	Jones.
Cox of Lamar.	Justiss.
Cox of Limestone.	Keeton.
Dunlap.	King.
Duvall.	Kinnear.
Finn.	Land.
Forbes.	Lemmens.
Gates.	Long of Houston.

Mankin.	Smith.
Marks.	Speck.
Martin.	Stephens.
Maynard.	Stevenson.
McGill.	Storey.
Moore.	Strong.
Negley.	Tarwater.
O'Neill.	Thurmond.
Pavlica.	Tillotson.
Purl.	Van Zandt.
Ray.	Veatch.
Reader.	Waddell.
Rountree.	Wallace.
Shelton.	Woodall.
Shipman.	Young.

## Present—Not Voting.

Sanders.	Snelgrove.
Sherrill.	Wiggs.

## Absent.

Barnett.	Montgomery.
Bradley.	Nicholson.
DeWolfe.	Patterson.
Eickenroht.	Pool.
Hefley.	Renfro.
Hubbard.	Richardson.
McDonald.	Woodruff.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Prendergast.
Kenyon.	Reid.
Kincaid.	Warwick.
Lee.	Westbrook.
Loy.	White.
Mauritz.	Williams
McKean.	of Hardin.

Mr. Duvall moved to reconsider the vote by which the bill failed to pass to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

CONFERENCE COMMITTEE AP-  
POINTED ON SENATE BILL  
NO. 37.

The Speaker announced the appointment of the following conference committee on Senate bill No. 37:

Messrs. Purl, Lemens, Kemble, Keller and Storey.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 18, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 155, A bill to be entitled "An Act to amend Sections 1, 4, 8, 14 and 15 of House bill No. 50 of the Acts of the Regular Session of the Fortieth Legislature, 1927, and adding a new section, Section 11a, thereto, so as to more accurately define the term 'motor bus company' and better define the jurisdiction of the Railroad Commission of Texas in the regulation of motor bus transportation; to provide for the regulation of motor bus terminals; to provide for the licensing of bus drivers and prescribe fees therefor; regulating the rates and the sale of tickets over bus lines; granting the power to bring suits to procure injunctions for the enforcement of the provisions of said House bill No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature; providing for penalties and punishment for the violations of the provisions of this act, and for the violation of the rules and regulations of the Railroad Commission; providing for additional funds in the way of fees and licenses for the enforcement of said act; requiring the sale of stock in a motor bus company to be approved," with amendments.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 155 WITH SENATE  
AMENDMENTS.

Mr. Beck called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 155, A bill to be entitled "An Act to amend Sections 1, 4, 8, 14 and 15 of House bill No. 50 of the Acts of the Regular Session of the Fortieth Legislature, 1927, and adding a new section, Section 11a, thereto, so as to more accurately define the term 'motor bus company' and better define the jurisdiction of the Railroad Commission of Texas in the regulation of motor bus transportation; to provide for the regulation of motor bus terminals; to provide for the licensing of bus drivers and provide fees therefor; regulating the rates and the sale of tickets over bus lines; granting the power to bring suits to procure injunctions for the enforcement of the provisions of said House bill No. 50, the same being Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature; providing for

penalties and punishment for the violations of the provisions of this act, and for the violation of the rules and regulations of the Railroad Commission; providing for additional funds in the way of fees and licenses for the enforcement of said act; requiring the sale of stock in a motor bus company to be approved."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Beck moved that the House concur in the Senate amendments.

Mr. Pope of Nueces moved that the House do not concur in the Senate amendments and that a free conference committee be requested to adjust the differences between the two houses on the bill.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 22, to the Committee on Public Health.

Senate bill No. 82, to the Committee on Highways and Motor Traffic.

Senate bill No. 86, to the Committee on State Affairs.

#### RECESS.

Mr. Anderson moved that the House adjourn until 9 o'clock a. m. next Monday.

Mr. Webb moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Webb prevailed, and the House accordingly, at 12:15 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Rogers, Senate bill No. 22 was ordered not printed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 18, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.  
Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. B. No. 93, A bill to be entitled "An Act declaring that the business of manufacturing, delivering and distributing ice is affected with a public interest and prescribing how the conduct of such business shall be regulated in the public interest, etc., and declaring an emergency."

H. B. No. 182, A bill to be entitled "An Act to provide more adequate compensation for county judges in counties which have voted road and bridge bonds amounting to \$6,000,000 or more, and in addition flood protection bonds amounting to \$1,000,000 or more, and providing for the employment of a stenographer for such judges, and declaring an emergency."

H. B. No. 183, A bill to be entitled "An Act fixing the salary of the county commissioners of certain counties according to the tax rolls of 1928 on file in the office of the State Comptroller; repealing all laws in conflict herewith, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 155 WITH SENATE AMENDMENTS.

The House resumed consideration of pending business, same being House bill No. 155, relative to motor bus fees, with Senate amendments, motion by Mr. Beck that the House concur in Senate amendments and motion by Mr. Pope of Nueces that the House do not concur, pending.

Mr. Storey moved a call of the House for the purpose of maintaining a quorum until 4:30 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The Sergeant-at-Arms was instructed to bring in all absent members in the city who are not ill.

Mr. Van Zandt moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. Pope of Nueces, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—41.

Ackerman.	Mankin.
Adkins.	McDonald.
Brice.	McGill.
Chastain.	Minor.
Cox of Navarro.	Palmer.
Eickenroht.	Pavlica.
Finn.	Pope of Jones.
Giles.	Pope of Nueces.
Graves	Quinn.
of Williamson.	Ray.
Graves of Erath.	Renfro.
Hardy.	Shipman.
Harman.	Stephens.
Jenkins.	Storey.
Johnson of Scurry.	Tarwater.
Keeton.	Turner.
Kennedy.	Veatch.
King.	Walters.
Land.	Williams
Lemens.	of Travis.
Long of Houston.	Woodruff.
Long of Wichita.	Young.

## Nays—59.

Acker.	Kinnear.
Albritton.	Marks.
Baker.	Martin.
Barnett.	McCombs.
Bateman.	Mehl.
Beck.	Metcalf.
Bond.	Moore.
Bounds.	Nicholson.
Bradley.	O'Neill.
Brooks.	Petsch.
Carpenter.	Purl.
Coltrin.	Richardson.
Conway.	Rogers.
Cox of Lamar.	Rountree.
Cox of Limestone.	Sanders.
Duvall.	Savage.
Enderby.	Shaver.
Ewing.	Shelton.
Forbes.	Simmons.
Gates.	Sinks.
Gerron.	Smith.
Gilbert.	Speck.
Harper.	Thompson.
Harrison.	Van Zandt.
Heaton.	Waddell.
Holder.	Wallace.
Hornaday.	Webb.
Johnson	White.
of Dimmit.	Williams
Jones.	of Sabine.
Justiss.	Woodall.

## Present—Not Voting.

Mr. Speaker.

## Absent.

Anderson.	Harding.
Davis.	Hefley.
DeWolfe.	Hines.
Dunlap.	Hogg.

Hopkins.	Reader.
Hubbard.	Sherrill.
Keller.	Snelgrove.
Kemble.	Stevenson.
Maynard.	Strong.
Montgomery.	Thurmond.
Mullally.	Tillotson.
Negley.	Wiggs.
Pool.	

## Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Johnson of Smith.	Patterson.
Kayton.	Prendergast.
Kenyon.	Reid.
Kincaid.	Warwick.
Lee.	Westbrook.
Loy.	Williams
Mauritz.	of Hardin.
McKean.	

Question next recurring on the motion by Mr. Beck, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—74.

Mr. Speaker.	Jones.
Acker.	Justiss.
Adkins.	Kennedy.
Albritton.	Kinnear.
Baker.	Lemens.
Bateman.	Long of Houston.
Beck.	Marks.
Bond.	Martin.
Bounds.	McCombs.
Bradley.	Mehl.
Brooks.	Metcalf.
Carpenter.	Moore.
Coltrin.	Nicholson.
Conway.	O'Neill.
Cox of Navarro.	Palmer.
Cox of Lamar.	Petsch.
Davis.	Purl.
Duvall.	Quinn.
Enderby.	Richardson.
Ewing.	Rogers.
Forbes.	Rountree.
Gates.	Sanders.
Gerron.	Savage.
Gilbert.	Shaver.
Giles.	Shelton.
Hardy.	Simmons.
Harper.	Sinks.
Harrison.	Smith.
Heaton.	Speck.
Holder.	Thompson.
Hornaday.	Tillotson.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.

Waddell.	Williams of Sabine.
Wallace.	Williams
Webb.	of Travis.
White.	Woodall.

## Nays—27.

Ackerman.	McDonald.
Barnett.	McGill.
Brice.	Pavlica.
Chastain.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Finn.	Ray.
Graves	Renfro.
of Williamson.	Sherrill.
Graves of Erath.	Shipman.
Harman.	Stephens.
Keeton.	Storey.
King.	Tarwater.
Land.	Walters.
Mankin.	Young.

## Absent.

Anderson.	Long of Wichita.
DeWolfe.	Maynard.
Dunlap.	Montgomery.
Eickenroht.	Mullally.
Harding.	Negley.
Hefley.	Pool.
Hines.	Reader.
Hogg.	Snelgrove.
Hopkins.	Stevenson.
Hubbard.	Strong.
Jenkins.	Thurmond.
Keller.	Wiggs.
Kemble.	Woodruff.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

Mr. McCombs moved to reconsider the vote by which the House concurred in the Senate amendments, and to table the motion to reconsider.

The motion to table prevailed.

# CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 37.

Mr. Purl called up, for consideration at this time, the following conference committee report on Senate bill No. 37:

Committee Room.

Austin, Texas, May 17, 1929.

Hon. Barry Miller, President of the Senate, and Hon. W. S. Barron,

Speaker of the House of Representatives.

Sirs: We, your conference committee, to whom was referred

S. B. No. 37, A bill to be entitled "An Act to provide for the organization, incorporation or admission and the regulation and taxation of mutual insurance companies, and declaring an emergency,"

Have had the same under consideration and we recommend that the House amendment to Senate bill No. 37 be not agreed to, but that the bill be passed without such amendment.

LOVE,  
WITT,  
HARDIN,  
MOORE,  
RUSSEK,

On the part of the Senate.

PURL,  
STOREY,  
KEMBLE,  
KELLER,  
LEMENS,

On the part of the House.

On motion of Mr. Purl, the House adopted the conference committee report by the following vote:

## Yeas—100.

Mr. Speaker.	Hardy.
Acker.	Harman.
Ackerman.	Harper.
Adkins.	Harrison.
Albritton.	Heaton.
Baker.	Holder.
Bateman.	Hopkins.
Beck.	Hornaday.
Bond.	Johnson
Bounds.	of Dimmit.
Bradley.	Johnson of Smith.
Brice.	Jones.
Brooks.	Justiss.
Carpenter.	Keeton.
Chastain.	Kennedy.
Coltrin.	King.
Conway.	Kinnear.
Cox of Navarro.	Lemens.
Cox of Lamar.	Long of Houston.
Cox of Limestone.	Long of Wichita.
Davis.	Marks.
Dunlap.	Martin.
Duvall.	McCombs.
Enderby.	McDonald.
Ewing.	McGill.
Finn.	Mehl.
Forbes.	Metcalf.
Gates.	Moore.
Gerron.	Negley.
Gilbert.	Nicholson.
Giles.	O'Neill.
Graves of Erath.	Palmer.
Graves	Pavlica.
of Williamson.	Petsch.

Pope of Jones.	Tarwater.
Pope of Nueces.	Thompson.
Purl.	Tillotson.
Quinn.	Turner.
Ray.	Van Zandt.
Richardson.	Veatch.
Rogers.	Waddell.
Rountree.	Wallace.
Sanders.	Walters.
Savage.	Webb.
Shaver.	White.
Shelton.	Williams
Sherrill.	of Sabine.
Shipman.	Williams
Simmons.	of Travis.
Sinks.	Woodall.
Speck.	Woodruff.
Stephens.	Young.
Storey.	

Nays—2.

Barnett. Land.

Present—Not Voting.

Jenkins.

Absent.

Anderson.	Montgomery.
DeWolfe.	Mullally.
Eickenroht.	Pool.
Harding.	Reader.
Hefley.	Renfro.
Hines.	Smith.
Hogg.	Snelgrove.
Hubbard.	Stevenson.
Keller.	Strong.
Kemble.	Thurmond.
Mankin.	Wiggs.
Maynard.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

## RELATING TO HOUSE BILL NO. 32.

On motion of Mr. McCombs, the En-grossing Clerk was authorized to make certain change in House bill No. 32.

CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 23.

Mr. Storey called up, for considera-tion at this time, the following confer-

ence committee report on Senate bill No. 23:

Committee Room,  
Austin, Texas, May 18, 1929.

Hon. Barry Miller, President of the Senate, and Hon. W. S. Barron, Speaker of the House of Representa-tives.

Sirs: Your free conference commit-tee, to whom was referred

S. B. No. 23, A bill to be entitled "An Act amending Article 6196 of the Revised Civil Statutes of 1925, so as to provide the manner and method of the discharge of convicts from the State penitentiary, and declaring an emer-gency,"

Have had the same as amended in the House Committee on Penitentiaries under consideration, and we are in-structed to report it back to the Sen-ate and the House of Representatives with the recommendation that it do pass with the following amendments to the House committee amendments:

1. Amend committee substitute to Senate bill No. 23 by inserting after the word "sentenced," in the sixth line of Section 1, the following: "or to such other county as hereinafter provided."

2. Amend committee substitute to Senate bill No. 23, Section 1, by adding after the word "Board," in the twenty-first line, the following: "and in addi-tion the sum of three dollars as further traveling expense money."

3. Amend committee substitute to Senate bill No. 23 by adding the fol-lowing after the last sentence in Sec-tion 1: "Provided further, that said convict shall be given a temporary cer-tificate by the Board good for ten days, protecting said convict from molesta-tion while traveling to the place of his discharge."

WOODUL,  
HOLBROOK,  
PARRISH,  
DeBERRY,  
STEVENSON,

On the Part of the Senate.

STOREY,  
WADDELL,  
KING,

POPE of Nueces,

On the Part of the House.

On motion of Mr. Storey, the report was adopted by the following vote:

Yeas—102.

Mr. Speaker.	Adkins.
Acker.	Albritton.
Ackerman.	Baker.

Barnett.	McCombs.
Bateman.	McDonald.
Beck.	McGill.
Bond.	Mehl.
Bounds.	Moore.
Bradley.	Negley.
Brice.	Nicholson.
Brooks.	O'Neill.
Carpenter.	Palmer.
Chastain.	Petsch.
Coltrin.	Pope of Jones.
Conway.	Pope of Nueces.
Cox of Lamar.	Purl.
Cox of Limestone.	Quinn.
Davis.	Ray.
Dunlap.	Renfro.
Duvall.	Richardson.
Enderby.	Rogers.
Ewing.	Rountree.
Eickenroht.	Sanders.
Finn.	Savage.
Forbes.	Shaver.
Gates.	Shelton.
Gerron.	Sherrill.
Gilbert.	Shipman.
Giles.	Simmons.
Graves of Erath.	Sinks.
Hardy.	Smith.
Harman.	Speck.
Harper.	Stephens.
Harrison.	Storey.
Heaton.	Strong.
Holder.	Tarwater.
Hopkins.	Thompson.
Hornaday.	Tillotson.
Jenkins.	Turner.
Johnson	Van Zandt.
of Dimmit.	Veatch.
Johnson of Smith.	Waddell.
Jones.	Wallace.
Justiss.	Walters.
Keeton.	Webb.
Kennedy.	White.
King.	Williams
Kinnear.	of Sabine.
Land.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.
Mankin.	Young.
Martin.	

Nays—1.

Graves of Williamson.

Present—Not Voting.

Lemens.	Marks.
	Absent.
Anderson.	Hubbard.
Cox of Navarro.	Keller.
DeWolfe.	Kemble.
Harding.	Maynard.
Hefley.	Metcalf.
Hines.	Montgomery.
Hogg.	Mullally.

Patterson.	Snelgrove.
Pavlica.	Stevenson.
Pool.	Thurmond.
Reader.	Wiggs.
Reid.	Woodruff.

Absent—Excused.

Avis.	McKean.
Baldwin.	Minor.
Finlay.	Morse.
Fuchs.	Mosely.
Johnson of Scurry.	Murphy.
Kayton.	Olsen.
Kenyon.	Prendergast.
Kincaid.	Warwick.
Lee.	Westbrook.
Loy.	Williams
Mauritz.	of Hardin.

## HOUSE BILL NO. 128 ON SECOND READING.

On motion of Mr. Long of Houston, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 128, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for the purpose of issuing bonds and maintaining the public schools in school districts in all counties which, according to the Federal census of 1920, have a population of not fewer than 36,500 and not more than 36,700; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 128 ON THIRD READING.

Mr. Long of Houston moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 128 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Bradley.
Acker.	Brooks.
Ackerman.	Carpenter.
Adkins.	Chastain.
Albritton.	Coltrin.
Baker.	Conway.
Barnett.	Cox of Navarro.
Bateman.	Cox of Lamar.
Beck.	Cox of Limestone.
Bond.	Davis.
Bounds.	DeWolfe.

Dunlap.	Negley.
Duvall.	Nicholson.
Enderby.	O'Neill.
Ewing.	Palmer.
Eickenroht.	Pavlica.
Finn.	Petsch.
Forbes.	Pope of Jones.
Gates.	Pope of Nueces.
Gilbert.	Purl.
Giles.	Quinn.
Graves	Ray.
of Williamson.	Renfro.
Graves of Erath.	Richardson.
Hardy.	Rogers.
Harman.	Rountree.
Harper.	Sanders.
Harrison.	Savage.
Heaton.	Shaver.
Holder.	Sherrill.
Hopkins.	Shipman.
Hornaday.	Simmons.
Jenkins.	Sinks.
Johnson	Smith.
of Dimmit.	Speck.
Johnson of Smith.	Stephens.
Jones.	Storey.
Justiss.	Strong.
Keeton.	Tarwater.
Kennedy.	Tillotson.
King.	Turner.
Kinnear.	Van Zandt.
Land.	Veatch.
Lemens.	Waddell.
Long of Houston.	Walters.
Long of Wichita.	Webb.
Mankin.	White.
McCombs.	Williams
McDonald.	of Sabine.
McGill.	Williams
Mehl.	of Travis.
Metcalfe.	Woodall.
Moore.	Young.

## Absent.

Anderson.	Maynard.
Brice.	Montgomery.
Gerron.	Mullally.
Harding.	Pool.
Hefley.	Reader.
Hines.	Shelton.
Hogg.	Snelgrove.
Hubbard.	Stevenson.
Keller.	Thompson.
Kemble.	Thurmond.
Marks.	Wiggs.
Martin.	Woodruff.

## Absent—Excused.

Avis.	Lee.
Baldwin.	Loy.
Finlay.	Mauritz.
Fuchs.	McKean.
Johnson of Scurry.	Minor.
Kayton.	Morse.
Kenyon.	Mosely.
Kincaid.	Murphy.

Olsen.	Warwick.
Patterson.	Westbrook.
Prendergast.	Williams
Reid.	of Hardin.
Wallace.	

The Speaker then laid House bill No. 128 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Land.
Acker.	Lemens.
Ackerman.	Long of Houston.
Adkins.	Long of Wichita.
Albritton.	Mankin.
Baker.	Marks.
Barnett.	McCombs.
Bateman.	McDonald.
Beck.	McGill.
Bond.	Mehl.
Bounds.	Metcalfe.
Bradley.	Moore.
Brice.	Negley.
Brooks.	Nicholson.
Carpenter.	O'Neill.
Chastain.	Palmer.
Coltrin.	Pavlica.
Conway.	Petsch.
Cox of Navarro.	Pope of Jones.
Cox of Lamar.	Purl.
Cox of Limestone.	Quinn.
Davis.	Ray.
Dunlap.	Renfro.
Duvall.	Richardson.
Enderby.	Rogers.
Ewing.	Rountree.
Eickenroht.	Sanders.
Finn.	Savage.
Forbes.	Shaver.
Gates.	Sherrill.
Gilbert.	Shipman.
Giles.	Simmons.
Graves	Sinks.
of Williamson.	Smith.
Graves of Erath.	Speck.
Hardy.	Stephens.
Harman.	Storey.
Harper.	Strong.
Harrison.	Tarwater.
Heaton.	Thompson.
Holder.	Tillotson.
Hopkins.	Van Zandt.
Hornaday.	Veatch.
Jenkins.	Waddell.
Johnson	Walters.
of Dimmit.	Webb.
Johnson of Smith.	White.
Jones.	Williams
Justiss.	of Sabine.
Keeton.	Williams
Kennedy.	of Travis.
King.	Woodall.
Kinnear.	Young.

## Absent.

Anderson.	Montgomery.
DeWolfe.	Mullally.
Gerron.	Pool.
Harding.	Pope of Nueces.
Hefley.	Reader.
Hines.	Shelton.
Hogg.	Snelgrove.
Hubbard.	Stevenson.
Keller.	Thurmond.
Kemble.	Turner.
Martin.	Wiggs.
Maynard.	Woodruff.

## Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Johnson of Scurry.	Patterson.
Kayton.	Prendergast.
Kenyon.	Reid.
Kincaid.	Wallace.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.
Minor.	

## BILLS LAID ON TABLE SUBJECT TO CALL.

On motion of Mr. Purl, the following bills were laid on the table subject to call:

House bill No. 103, Senate bill No. 45, House bills Nos. 83, 81, Senate bill No. 27, and House bill No. 82.

## SENATE BILL NO. 22 ON SECOND READING.

On motion of Mr. Shelton, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 22, A bill to be entitled "An Act establishing a State Sanitary Code which provides for the prevention and control of disease; giving the State Health Officer and the State Board of Health authority to promulgate orders, rules and regulations for the protection of the public health; repealing the old State Sanitary Code known as Chapter IV, Article 4477, of the Revised Civil Statutes of Texas of 1925, and repealing all laws, articles, sections and subdivisions of laws in conflict or inconsistent with this act; prescribing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Harman offered the following amendment to the bill:

Amend Senate bill No. 22, Chapter 2, page 5, subdivision 5-C, by adding to the end of it Section 5: "Without cost to the teacher, pupil or employe."

The amendment was adopted.

Mr. Kennedy moved that the bill be postponed indefinitely.

Mr. Young moved the previous question on the pending motion and the bill, and the main question was ordered.

Mr. Pope of Nueces (by unanimous consent) offered the following amendment to the bill:

Amend Senate bill No. 22 by adding at the end of subdivision 3, Section 3, the following: "Unless otherwise provided by city ordinance."

The amendment was adopted.

Question recurring on the motion to postpone indefinitely, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—35.

Ackerman.	Justiss.
Albritton.	Kennedy.
Baker.	King.
Barnett.	Land.
Bateman.	Mankin.
Brice.	Marks.
Brooks.	Pavlica.
Coltrin.	Renfro.
Cox of Lamar.	Richardson.
Ewing.	Rountree.
Eickenroht.	Shipman.
Gates.	Simmons.
Gerron.	Stephens.
Giles.	Turner.
Heaton.	Veatch.
Jenkins.	Waddell.
Johnson of Smith.	Woodall.
Jones.	

Nays—69.

Mr. Speaker.	Gilbert.
Acker.	Graves
Adkins.	of Williamson.
Beck.	Graves of Erath.
Bond.	Hardy.
Bounds.	Harman.
Bradley.	Harper.
Carpenter.	Harrison.
Chastain.	Holder.
Conway.	Hopkins.
Cox of Navarro.	Hornaday.
Cox of Limestone.	Johnson
Davis.	of Dimmit.
DeWolfe.	Keeton.
Dunlap.	Kinnear.
Duvall.	Lemens.
Finn.	Long of Houston.
Forbes.	Long of Wichita.

Martin.	Shelton.
McDonald.	Sherrill.
McGill.	Sinks.
Mehl.	Smith.
Metcalfe.	Speck.
Moore.	Storey.
Nicholson.	Tarwater.
O'Neill.	Tillotson.
Palmer.	Van Zandt.
Petsch.	Wallace.
Pope of Jones.	Walters.
Pope of Nueces.	Webb.
Purl.	White.
Quinn.	Williams
Ray.	of Sabine.
Rogers.	Williams
Sanders.	of Travis.
Savage.	Woodruff.
Shaver.	Young.

Present—Not Voting.

Strong.

Absent.

Anderson.	Montgomery.
Enderby.	Mullally.
Harding.	Negley.
Hefley.	Pool.
Hines.	Reader.
Hogg.	Snelgrove.
Hubbard.	Stevenson.
Keller.	Thompson.
Kemble.	Thurmond.
Maynard.	Wiggs.
McCombs.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

Senate bill No. 22 was then passed to third reading.

# MOTION TO TAKE UP SENATE BILL NO. 22.

Mr. Duvall moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 22 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—74.

Mr. Speaker.	McDonald.
Adkins.	McGill.
Beck.	Mehl.
Bounds.	Metcalfe.
Bradley.	Moore.
Carpenter.	Nicholson.
Chastain.	O'Neill.
Conway.	Palmer.
Cox of Navarro.	Petsch.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
DeWolfe.	Purl.
Dunlap.	Ray.
Duvall.	Richardson.
Enderby.	Rogers.
Ewing.	Rountree.
Finn.	Sanders.
Forbes.	Savage.
Gerron.	Shaver.
Gilbert.	Shelton.
Graves	Simmons.
of Williamson.	Smith.
Hardy.	Speck.
Harper.	Storey.
Harrison.	Strong.
Holder.	Tarwater.
Hopkins.	Tillotson.
Hornaday.	Veatch.
Jenkins.	Wallace.
Johnson	Walters.
of Dimmit.	Webb.
Johnson of Smith.	White.
Keeton.	Williams
Kinnear.	of Sabine.
Land.	Williams
Lemens.	of Travis.
Long of Houston.	Woodruff.
Long of Wichita.	Young.
Martin.	

Nays—26.

Ackerman.	Justiss.
Albritton.	Kennedy.
Baker.	King.
Barnett.	Mankin.
Bateman.	Pavlica.
Bond.	Renfro.
Brice.	Sherrill.
Brooks.	Shipman.
Eickenroht.	Stephens.
Gates.	Turner.
Giles.	Van Zandt.
Graves of Erath.	Waddell.
Heaton.	Woodall.
Jones.	

Present—Not Voting.

Marks. Thompson.

Absent.

Acker.	Harding.
Anderson.	Harman.
Coltrin.	Hefley.
Cox of Lamar.	Hines.

Hogg.	Pool.
Hubbard.	Quinn.
Keller.	Reader.
Kemble.	Sinks.
Maynard.	Snelgrove.
McCombs.	Stevenson.
Montgomery.	Thurmond.
Mullally.	Wiggs.
Negley.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

#### HOUSE BILL NO. 86 WITH SENATE AMENDMENTS.

Mr. Johnson of Dimmit called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 86, A bill to be entitled "An Act to amend Article 1074, Title 15, Chapter 4, Code of Criminal Procedure of Texas, 1925, amended by Chapter 236, Acts of the Regular Session of the Forty-first Legislature, so as to provide a trial fee of five dollars in both the justice and the trial courts in misdemeanor cases, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Johnson of Dimmit moved that the House do not concur in the Senate amendments and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 36, to the Committee on Insurance.

Senate bill No. 93, to the Committee on Common Carriers.

Senate bill No. 145, to the Committee on Education.

#### CALL OF THE HOUSE ORDERED.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 91, A bill to be entitled "An Act relating to banks and bank and trust companies; enacting provisions to prevent false advertisement of the condition of banks and bank and trust companies, and providing penalties and forfeiture, and declaring an emergency," with amendment.

H. B. No. 92, A bill to be entitled "An Act relating to banks and bank and trust companies; amending Article 535, Revised Civil Statutes of 1925, and prescribing the method of transfer of stock of banks and bank and trust companies, making the record owner liable as stockholder; and providing for the joining of transferor and transferee of stock in case of suit, and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act relating to banks and bank and trust companies; enacting Article 517a, Revised Civil Statutes of 1925, and providing against preferences in favor of depositors of banks and bank and trust companies by pledging the assets of such corporations, and declaring an emergency," with amendment.

H. B. No. 211, A bill to be entitled "An Act authorizing the commissioners court of any county in this State having a population of not less than 11,800 and not more than 12,000, according to the last preceding Federal census, to pay a bounty on wolves, wildcats and other predatory animals within said counties, and providing for the levy of taxes at a rate not to exceed one-fourth of one mill on the total assessed valuation of the county for the purpose of creating a

fund out of which to pay said bounties, and declaring an emergency."

H. B. No. 194, A bill to be entitled "An Act to amend Chapter 3, Title 67, of the Revised Civil Statutes of Texas, by adding thereto Article 4056a, and by authorizing the Game, Fish and Oyster Commissioner of Texas to lease the islands, reefs and bars within the tide-water limits of Texas for occupation for hunting, bathing and fishing purposes."

H. B. No. 220, A bill to be entitled "An Act validating the actions of the county board of school trustees in changing boundary lines of common school districts in counties having a population of not less than 9000 nor more than 9010, according to the United States Federal census of 1920; giving the county board of school trustees in all counties authority to make changes in all common school districts; to create common school districts; providing in case any provision of this act shall be held unconstitutional or invalid then such holding shall not affect the remaining provisions, and declaring an emergency."

H. B. No. 228, A bill to be entitled "An Act amending Article 6869 of the Revised Civil Statutes of Texas, and declaring an emergency."

H. B. No. 23, A bill to be entitled "An Act vesting the right of eminent domain in the Board of Managers of the North Texas Junior Agricultural, Mechanical and Industrial College, and declaring an emergency."

H. B. No. 84, A bill to be entitled "An Act to repeal Article 1066, Title 5, Chapter 4, Code of Criminal Procedure of Texas, and declaring an emergency."

H. B. No. 85, A bill to be entitled "An Act to amend Article 1052, Title 5, Chapter 3, Code of Criminal Procedure of Texas, 1925, as amended by Chapter 104, Acts of the Forty-first Legislature, Regular Session, by omitting therefrom the concluding portion of Section 1, relating to the taxing, collecting and paying into the Treasury of fines and costs heretofore authorized for justices of the peace or judges, and declaring an emergency."

H. B. No. 86, A bill to be entitled "An Act to amend Article 1074, Title 15, Chapter 4, Code of Criminal Procedure of Texas, 1925, amended by Chapter 236, Acts of the Regular Session of the Forty-first Legislature, so as to provide a trial fee of five dollars in both the justice and the trial courts in misdemeanor

cases, and declaring an emergency," with amendments.

The Senate has adopted the free conference committee report on Senate bill No. 37 by a two-thirds vote of 25 yeas, 0 nays.

The Senate has adopted the free conference committee report on Senate bill No. 23 by a vote of 25 yeas, 0 nays.

The Senate has passed

H. B. No. 94, A bill to be entitled "An Act relating to banks and bank and trust companies; amending Article 365, Revised Civil Statutes of Texas of 1925, so as to provide for the sale of stock to enforce payment of stock assessments in banks and bank and trust companies; amending Article 370 of said statutes defining the duties and discretion of the Banking Commissioner in connection with taking charge of and liquidating banks and bank and trust companies; enacting provisions protecting the rights of creditors of banks and bank and trust companies in cases of decrease of the capital stock of such corporations; declaring the rule where banks or bank and trust companies receive checks, drafts or bills of exchange; amending Article 514, Revised Civil Statutes of 1925, so as to eliminate that portion of same which prohibits banks and bank and trust companies from alienating real estate to anyone interested directly or indirectly in said company; amending Article 358, Revised Civil Statutes of 1925, prescribing the number of examinations per year of banks and bank and trust companies by the Banking Department; amending Article 350, Revised Civil Statutes, 1925, as amended, so as to provide for assistant bank examiners, and prescribing their compensation and traveling expenses; enacting provisions incidental to the subject and purposes of the act, and declaring an emergency."

H. B. No. 208, A bill to be entitled "An Act to amend Title 55 of the Revised Civil Statutes of the State of Texas, 1925, by adding thereto Article 3769a; providing that in the trial of any civil suit or proceeding in any justice court, county court or district court of this State either the plaintiff or the defendant shall have the right to call as a witness the adverse party or parties and further providing that the answers of such adverse party as a witness shall not deprive the other party of the right to introduce other evidence or impeach the witness or the witness' testimony and further providing that in

the examination of such adverse party as a witness the questions asked may be leading."

H. B. No. 192, A bill to be entitled "An Act dealing with the compensation of grand jury bailiff's pay of Bexar county, Texas, and declaring an emergency."

H. B. No. 221, A bill to be entitled "An Act creating and establishing Cameron County Water Improvement District No. 10, in Cameron county, Texas, as a conservation and reclamation district, under the provisions of Section 59 of Article 16 of the Constitution of Texas, for the purpose of the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, reclamation and drainage of its overflowed lands, and other lands needing drainage, and all other purposes as contemplated by said Section 59 of Article 16 of the Constitution of this State, to be governed by the provisions of Chapter 2, Title 128, of the Revised Civil Statutes of Texas, Revision of 1925, and acts amendatory thereof and supplementary thereto; describing said district by metes and bounds, etc., and declaring an emergency."

S. B. No. 36, A bill to be entitled "An Act to regulate the business in insurance on what is known as the Lloyd's plan, amending all of Chapter 19, Title 78, Revised Statutes of Texas, and declaring an emergency."

S. B. No. 145, A bill to be entitled "An Act amending Section 6, Chapter 234, General and Special Laws of the Regular Session of the Forty-first Legislature, relating to courses of instruction in the Constitution of the United States in educational institutions of this State, so as to postpone the operation of said act until on and after September 1, 1929, and declaring an emergency."

H. B. No. 204, A bill to be entitled "An Act to provide for the conversion of navigation districts created and organized under Section 52 of Article 3 of the Constitution of the State of Texas into navigation districts under the reclamation and conservation provisions of Section 59 of Article 16 of the Constitution, etc., and declaring an emergency."

H. B. No. 222, A bill to be entitled "An Act creating and establishing Cameron County Water Improvement District No. 11 in Cameron county, Texas, as a conservation and reclamation district, under the provisions of Section 59

of Article 16 of the Constitution of Texas, for the purpose of the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, reclamation and drainage of its overflowed lands, and other lands needing drainage, and all other purposes as contemplated by said Section 59 of Article 16 of the Constitution of this State, to be governed by the provisions of Chapter 2, Title 128, of the Revised Civil Statutes of Texas, Revision of 1925, and acts amendatory thereof and supplementary thereto, etc., and declaring an emergency."

H. B. No. 223, A bill to be entitled "An Act creating and establishing Cameron County Water Improvement District No. 12, in Cameron county, Texas, as a conservation and reclamation district, under the provisions of Section 59 of Article 16 of the Constitution of Texas, for the purpose of the reclamation and irrigation of its arid and semi-arid and other lands needing irrigation, reclamation and drainage, and all other purposes as contemplated by said Section 59 of Article 16 of the Constitution of this State, to be governed by the provisions of Chapter 2, Title 128, of the Revised Civil Statutes of Texas, Revision of 1925, and acts amendatory thereof and supplementary thereto, etc., and declaring an emergency."

H. B. No. 129, A bill to be entitled "An Act providing for a rural school supervisor in lieu of the teachers' institute, as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties having a population of 37,000 to 37,800, according to the Federal census of 1920, and a scholastic population of at least 10,000 as shown by the scholastic census report for the school year 1927-28, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### SENATE BILL NO. 55 ON SECOND READING.

On motion of Mr. Palmer, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 55, A bill to be entitled "An Act to authorize the Board of Control, by and with the consent of the Governor, to select and set aside so much of the lands of the Texas penitentiary at Rusk, Texas, as may be

requisite and necessary for the use of Rusk State Hospital, and to authorize the Board of Control, by and with the consent of the Governor, to sell and dispose of any of the remainder of the lands situated in Cherokee county and formerly belonging to the Texas penitentiary system, and to authorize the Board of Control, by and with the consent of the Governor, to lease any and all of said lands owned by the State in Cherokee county for the purpose of prospecting for oil, gas and other minerals; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

#### SENATE BILL NO. 55 ON THIRD READING.

Mr. Palmer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Harrison.
Ackerman.	Heaton.
Adkins.	Holder.
Baker.	Hopkins.
Barnett.	Hornaday.
Bateman.	Jenkins.
Beck.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Smith.
Bradley.	Jones.
Brooks.	Justiss.
Carpenter.	Kennedy.
Chastain.	King.
Coltrin.	Kinnear.
Conway.	Land.
Cox of Navarro.	Lemens.
Cox of Lamar.	Long of Houston.
Cox of Limestone.	Long of Wichita.
Davis.	Mankin.
DeWolfe.	Marks.
Duvall.	Martin.
Enderby.	McDonald.
Ewing.	McGill.
Eickenroht.	Mehl.
Finn.	Metcalfe.
Forbes.	Moore.
Gates.	Negley.
Gerron.	Nicholson.
Gilbert.	O'Neill.
Giles.	Palmer.
Graves of Erath.	Pavlica.
Hardy.	Petsch.
Harman.	Pope of Jones.
Harper.	Pope of Nueces.

Purl.	Strong.
Quinn.	Tarwater.
Ray.	Thompson.
Renfro.	Tillotson.
Richardson.	Turner.
Rogers.	Van Zandt.
Rountree.	Veatch.
Sanders.	Waddell.
Savage.	Wallace.
Shaver.	Walters.
Shelton.	Webb.
Sherrill.	White.
Shipman.	Williams
Simmons.	of Sabine.
Sinks.	Williams
Smith.	of Travis.
Speck.	Woodall.
Stevenson.	Woodruff.
Storey.	Young.

Present—Not Voting.

Brice.	Keeton.
	Absent.
Acker.	Kemble.
Albritton.	Maynard.
Anderson.	McCombs.
Dunlap.	Montgomery.
Graves	Mullally.
of Williamson.	Pool.
Harding.	Reader.
Hefley.	Snelgrove.
Hines.	Stephens.
Hogg.	Thurmond.
Hubbard.	Wiggs.
Keller.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 55 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Mr. Speaker.	Bounds.
Ackerman.	Bradley.
Adkins.	Brice.
Baker.	Carpenter.
Barnett.	Chastain.
Bateman.	Coltrin.
Beck.	Conway.
Bond.	Cox of Navarro.

Cox of Lamar.	Moore.
Cox of Limestone.	Negley.
Davis.	Nicholson.
DeWolfe.	O'Neill.
Dunlap.	Palmer.
Duvall.	Pavlica.
Enderby.	Petsch.
Ewing.	Pope of Jones.
Eickenroht.	Pope of Nueces.
Finn.	Purl.
Forbes.	Quinn.
Gates.	Ray.
Gerron.	Renfro.
Gilbert.	Rogers.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Graves of Erath.	Shaver.
Hardy.	Shelton.
Harman.	Sherrill.
Harper.	Shipman.
Harrison.	Simmons.
Heaton.	Sinks.
Holder.	Smith.
Hopkins.	Speck.
Hornaday.	Stephens.
Jenkins.	Storey.
Johnson	Strong.
of Dimmit.	Tarwater.
Johnson of Smith.	Thompson.
Jones.	Tillotson.
Justiss.	Turner.
Keeton.	Van Zandt.
Kennedy.	Veatch.
King.	Waddell.
Kinnear.	Wallace.
Land.	Walters.
Long of Houston.	Webb.
Long of Wichita.	White.
Mankin.	Williams
Marks.	of Sabine.
Martin.	Williams
McDonald.	of Travis.
McGill.	Woodall.
Mehl.	Woodruff.
Metcalfe.	Young.

Present—Not Voting.

Richardson.

Absent.

Acker.	Lemens.
Albritton.	Maynard.
Anderson.	McCombs.
Brooks.	Montgomery.
Harding.	Mullally.
Hefley.	Pool.
Hines.	Reader.
Hogg.	Snelgrove.
Hubbard.	Stevenson.
Keller.	Thurmond.
Kemble.	Wiggs.

Absent—Excused.

Avis.	Finlay.
Baldwin.	Fuchs.

Johnson of Scurry.	Mosely.
Kayton.	Murphy.
Kenyon.	Olsen.
Kincaid.	Patterson.
Lee.	Prendergast.
Loy.	Reid.
Mauritz.	Warwick.
McKean.	Westbrook.
Minor.	Williams
Morse.	of Hardin.

#### CONFERENCE COMMITTEE ON HOUSE BILL NO. 86.

The Speaker announced the following conference committee on House bill No. 86:

Messrs. Woodall, Johnson of Dimmit, Harrison, Graves of Williamson and Storey.

#### SENATE BILL NO. 11 ON SECOND READING.

On motion of Mr. Young, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 11, A bill to be entitled "An Act fixing the compensation of district attorneys in districts of three or more counties, and prescribing how the same shall be paid, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Smith offered the following amendment to the bill:

Amend Senate bill No. 11 by adding at proper place the following: "this amendment to this article shall not apply to district attorneys appointed by district judge from term to term, and nothing in this act is to disturb the salary of district attorneys as fixed by any special act of the Legislature."

The amendment was adopted.

Senate bill No. 11 was then passed to third reading.

#### SENATE BILL NO. 11 ON THIRD READING.

Mr. Young moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	Bounds.
Adkins.	Bradley.
Baker.	Brice.
Barnett.	Brooks.
Beck.	Carpenter.

Chastain.	McDonald.
Coltrin.	McGill.
Conway.	Mehl.
Cox of Navarro.	Metcalfe.
Cox of Lamar.	Moore.
Cox of Limestone.	Nicholson.
Davis.	Palmer.
DeWolfe.	Pavlica.
Dunlap.	Petsch.
Duvall.	Pope of Jones.
Enderby.	Pope of Nueces.
Eickenroht.	Purl.
Finn.	Quinn.
Forbes.	Ray.
Gates.	Richardson.
Gerron.	Rountree.
Gilbert.	Sanders.
Giles.	Savage.
Graves	Shaver.
of Williamson.	Shelton.
Graves of Erath.	Shipman.
Hardy.	Simmons.
Harman.	Smith.
Harper.	Speck.
Harrison.	Stephens.
Heaton.	Storey.
Hines.	Strong.
Holder.	Tarwater.
Hopkins.	Thompson.
Hornaday.	Tillotson.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Waddell.
Justiss.	Walters.
Keeton.	Webb.
King.	White.
Kinnear.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.
Mankin.	Woodruff.
Marks.	Young.
Martin.	

## Nays—11.

Ackerman.	Renfro.
Albritton.	Rogers.
Bateman.	Sherrill.
Bond.	Veatch.
Jenkins.	Wallace.
Kennedy.	

## Present—Not Voting.

O'Neill.	Sinks.
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## Absent.

Acker.	Keller.
Anderson.	Kemble.
Ewing.	Maynard.
Harding.	McCombs.
Hefey.	Montgomery.
Hogg.	Mullally.
Hubbard.	Negley.
Jones.	Pool.

Reader.	Thurmond.
Snelgrove.	Wiggs.
Stevenson.	

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 11 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—84.

Mr. Speaker.	Kinnear.
Adkins.	Land.
Baker.	Lemens.
Barnett.	Long of Houston.
Beck.	Long of Wichita.
Bounds.	Mankin.
Bradley.	Martin.
Brice.	McCombs.
Brooks.	McDonald.
Carpenter.	McGill.
Chastain.	Mehl.
Coltrin.	Metcalfe.
Conway.	Moore.
Cox of Navarro.	Nicholson.
Cox of Limestone.	Palmer.
Davis.	Pavlica.
DeWolfe.	Petsch.
Dunlap.	Pope of Jones.
Duvall.	Pope of Nueces.
Ewing.	Purl.
Eickenroht.	Quinn.
Finn.	Ray.
Forbes.	Richardson.
Gates.	Rogers.
Gerron.	Rountree.
Giles.	Savage.
Hardy.	Shaver.
Harman.	Shelton.
Harper.	Shipman.
Harrison.	Simmons.
Heaton.	Smith.
Hines.	Speck.
Holder.	Stephens.
Hopkins.	Storey.
Hornaday.	Strong.
Johnson	Tarwater.
of Dimmit.	Tillotson.
Johnson of Smith.	Turner.
Justiss.	Waddell.
Keeton.	Walters.
King.	Webb.

White.	Williams
Williams	of Travis.
of Sabine.	Woodall.
	Young.

Nays—15.

Ackerman.	Kennedy.
Albritton.	Marks.
Bateman.	Renfro.
Bond.	Sanders.
Enderby.	Sherrill.
Graves of Erath.	Veatch.
Jenkins.	Wallace.
Jones.	

Present—Not Voting.

O'Neill.	Van Zandt.
Sinks.	Woodruff.

Absent.

Acker.	Maynard.
Anderson.	Montgomery.
Cox of Lamar.	Mullally.
Gilbert.	Negley.
Graves	Pool.
of Williamson.	Reader.
Harding.	Snelgrove.
Hefley.	Stevenson.
Hogg.	Thompson.
Hubbard.	Thurmond.
Keller.	Wiggs.
Kemble.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 23, "An Act amending Article 6196 of the Revised Civil Statutes of 1925, so as to provide for the discharge of convicts from the penitentiary in the county in which they were convicted, and declaring an emergency."

S. B. No. 37, "An Act to provide for the organization, incorporation or admission and the regulation and taxation of mutual insurance companies, etc., and declaring an emergency."

H. B. No. 183, "An Act fixing the salary of the county commissioners of

certain counties according to the tax rolls of 1928 on file in the office of the State Comptroller; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 182, "An Act to provide more adequate compensation for county judges in counties which have voted road and bridge bonds amounting to \$6,000,000 or more, and in addition flood protection bonds amounting to \$1,000,000 or more, and providing for the employment of a stenographer for such judges, and declaring an emergency."

## HOUSE BILL NO. 156 ON SECOND READING.

On motion of Mr. Smith, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 156, A bill to be entitled "An Act to amend Article 7686 of Chapter 2, of Title 128, of the Revised Civil Statutes of Texas, 1925, relating to the employment and duties of engineers for water improvement districts, so as to allow such districts to employ engineers without awaiting the return of the list of assessments of taxable property in such districts, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## HOUSE BILL NO. 156 ON THIRD READING.

Mr. Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 156 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	Davis.
Ackerman.	DeWolfe.
Adkins.	Dunlap.
Baker.	Duvall.
Barnett.	Enderby.
Bateman.	Ewing.
Beck.	Eickenroht.
Bond.	Finn.
Bounds.	Forbes.
Bradley.	Gates.
Brooks.	Gerron.
Carpenter.	Gilbert.
Chastain.	Graves of Erath.
Conway.	Hardy.
Cox of Navarro.	Harman.
Cox of Lamar.	Harper.
Cox of Limestone.	Harrison.

Heaton.	Ray.
Hines.	Rogers.
Holder.	Rountree.
Hopkins.	Sanders.
Hornaday.	Savage.
Johnson	Shaver.
of Dimmit.	Shelton.
Johnson of Smith.	Sherrill.
Jones.	Shipman.
Justiss.	Simmons.
Keeton.	Sinks.
King.	Smith.
Kinnear.	Speck.
Land.	Stephens.
Lemens.	Storey.
Long of Houston.	Strong.
Long of Wichita.	Tarwater.
Mankin.	Tillotson.
Marks.	Turner.
Martin.	Van Zandt.
McCombs.	Veatch.
McDonald.	Waddell.
McGill.	Wallace.
Mehl.	Walters.
Metcalf.	Webb.
Moore.	White.
Nicholson.	Williams
Palmer.	of Sabine.
Pavlica.	Williams
Petsch.	of Travis.
Pope of Jones.	Woodall.
Pope of Nueces.	Woodruff.
Purl.	Young.
Quinn.	

## Nays—3.

Albritton.	Renfro.
Kennedy.	

## Present—Not Voting.

Brice.	Richardson.
O'Neill.	

## Absent.

Acker.	Kemble.
Anderson.	Maynard.
Coltrin.	Montgomery.
Giles.	Mullally.
Graves	Negley.
of Williamson.	Pool.
Harding.	Reader.
Hefley.	Snelgrove.
Hogg.	Stevenson.
Hubbard.	Thompson.
Jenkins.	Thurmond.
Keller.	Wiggs.

## Absent—Excused.

Avis.	Kenyon.
Baldwin.	Kincaid.
Finlay.	Lee.
Fuchs.	Loy.
Johnson of Scurry.	Mauritz.
Kayton.	McKean.

Minor.	Prendergast.
Morse.	Reid.
Mosely.	Warwick.
Murphy.	Westbrook.
Olsen.	Williams
Patterson.	of Hardin.

The Speaker then laid House bill No. 156 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—99.

Mr. Speaker.	Long of Wichita.
Ackerman.	Mankin.
Adkins.	Marks.
Baker.	Martin.
Barnett.	McCombs.
Bateman.	McDonald.
Beck.	McGill.
Bond.	Mehl.
Bounds.	Metcalf.
Bradley.	Moore.
Brooks.	Nicholson.
Carpenter.	Palmer.
Chastain.	Pavlica.
Coltrin.	Petsch.
Conway.	Pope of Jones.
Cox of Navarro.	Pope of Nueces.
Cox of Lamar.	Purl.
Cox of Limestone.	Quinn.
Davis.	Ray.
DeWolfe.	Richardson.
Dunlap.	Rountree.
Duvall.	Sanders.
Enderby.	Savage.
Ewing.	Shaver.
Eickenroht.	Shelton.
Finn.	Sherrill.
Forbes.	Shipman.
Gates.	Simmons.
Gerron.	Sinks.
Gilbert.	Smith.
Giles.	Speck.
Graves of Erath.	Storey.
Hardy.	Strong.
Harman.	Thompson.
Harper.	Tillotson.
Harrison.	Turner.
Heaton.	Van Zandt.
Hines.	Veatch.
Hopkins.	Waddell.
Hornaday.	Wallace.
Jenkins.	Walters.
Johnson of Smith.	Webb.
Jones.	White.
Justiss.	Williams
Keeton.	of Sabine.
King.	Williams
Kinnear.	of Travis.
Land.	Woodall.
Lemens.	Woodruff.
Long of Houston.	Young.

Nays—3.

Albritton. Renfro.  
Kennedy.

Present—Not Voting.

Brice. Rogers.  
O'Neill.

Absent.

Acker.	Maynard.
Anderson.	Montgomery.
Graves	Mullally.
of Williamson.	Negley.
Harding.	Pool.
Hefley.	Reader.
Hogg.	Snelgrove.
Holder.	Stephens.
Hubbard.	Stevenson.
Johnson	Tarwater.
of Dimmit.	Thurmond.
Keller.	Wiggs.
Kemble.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

HOUSE BILL NO. 157 ON SECOND  
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 157, A bill to be entitled "An Act to amend Article 7792 of Chapter 2, of Title 128, of the Revised Civil Statutes of Texas of 1925, relating to the sale of surplus water by irrigation and water improvement districts, so as to authorize said districts to sell surplus water to lands in the same vicinity for the purpose of irrigation, domestic or commercial uses; and to authorize such districts to contract to pump or deliver to lands in the same vicinity of such districts water which such lands may be entitled to appropriate under permit from the Board of Water Engineers of the State, under such terms and conditions, and for such length of time, as may be provided for in such contracts, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 157 ON THIRD  
READING.

Mr. Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 157 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Mankin.
Ackerman.	Marks.
Adkins.	Martin.
Baker.	McCombs.
Barnett.	McDonald.
Beck.	McGill.
Bond.	Mehl.
Bounds.	Metcalfe.
Bradley.	Moore.
Brice.	Nicholson.
Brooks.	O'Neill.
Carpenter.	Palmer.
Chastain.	Pavlica.
Coltrin.	Petsch.
Conway.	Pope of Jones.
Cox of Navarro.	Purl.
Cox of Lamar.	Quinn.
Cox of Limestone.	Ray.
Davis.	Renfro.
DeWolfe.	Richardson.
Dunlap.	Rogers.
Duvall.	Rountree.
Enderby.	Sanders.
Ewing.	Savage.
Eickenroht.	Shaver.
Finn.	Shelton.
Forbes.	Sherrill.
Gates.	Shipman.
Gerron.	Simmons.
Gilbert.	Sinks.
Giles.	Smith.
Graves of Erath.	Speck.
Harman.	Stephens.
Harper.	Strong.
Harrison.	Tarwater.
Heaton.	Thompson.
Hines.	Tillotson.
Hopkins.	Turner.
Hornaday.	Van Zandt.
Jenkins.	Veatch.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Jones.	Webb.
Justiss.	White.
Keeton.	Williams
King.	of Sabine.
Kinnear.	Williams
Land.	of Travis.
Lemens.	Woodall.
Long of Houston.	Woodruff.
Long of Wichita.	Young.

Nays—2.

Albritton. Kennedy.

## Absent.

Acker.	Maynard.
Anderson.	Montgomery.
Bateman.	Mullally.
Graves	Negley.
of Williamson.	Pool.
Hardy.	Pope of Nueces.
Harding.	Reader.
Hefley.	Snelgrove.
Hogg.	Stevenson.
Holder.	Storey.
Hubbard.	Thurmond.
Keller.	Wiggs.
Kemble.	

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

The Speaker then laid House bill No. 157 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—100.

Mr. Speaker.	Gilbert.
Ackerman.	Giles.
Adkins.	Graves of Erath.
Albritton.	Harman.
Baker.	Harper.
Barnett.	Harrison.
Bateman.	Heaton.
Beck.	Hines.
Bounds.	Hopkins.
Bradley.	Hornaday.
Brice.	Jenkins.
Brooks.	Johnson
Carpenter.	of Dimmit.
Chastain.	Johnson of Smith.
Coltrin.	Jones.
Cox of Navarro.	Justiss.
Cox of Lamar.	Keeton.
Cox of Limestone.	Kennedy.
Davis.	King.
DeWolfe.	Kinnear.
Dunlap.	Land.
Duvall.	Lemens.
Enderby.	Long of Houston.
Ewing.	Long of Wichita.
Eickenroht.	Mankin.
Finn.	Martin.
Forbes.	McCombs.
Gates.	McDonald.
Gerron.	McGill.

Mehl.	Smith.
Metcalfe.	Speck.
Moore.	Stephens.
Nicholson.	Storey.
O'Neill.	Strong.
Palmer.	Tarwater.
Pavlica.	Thompson.
Petsch.	Turner.
Pope of Jones.	Van Zandt.
Purl.	Veatch.
Quinn.	Waddell.
Ray.	Wallace.
Renfro.	Walters.
Richardson.	Webb.
Rogers.	White.
Rountree.	Williams
Sanders.	of Sabine.
Savage.	Williams
Shaver.	of Travis.
Shelton.	Woodall.
Sherrill.	Woodruff.
Shipman.	Young.
Simmons.	

## Absent.

Acker.	Marks.
Anderson.	Maynard.
Bond.	Montgomery.
Conway.	Mullally.
Graves	Negley.
of Williamson.	Pool.
Hardy.	Pope of Nueces.
Harding.	Reader.
Hefley.	Sinks.
Hogg.	Snelgrove.
Holder.	Stevenson.
Hubbard.	Thurmond.
Keller.	Tillotson.
Kemble.	Wiggs.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

## HOUSE BILL NO. 158 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 158, A bill to be entitled "An Act to amend Article 1649 of Chapter 2, of Title 128, of the Revised Civil Statutes, 1925, relating to the addition of lands to water improvement districts,

so as to allow lands not contiguous to such districts to be added thereto, and declaring an emergency."

The bill was read second time and was passed to engrossment.

### HOUSE BILL NO. 158 ON THIRD READING.

Mr. Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 158 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Lemens.
Ackerman.	Long of Houston.
Adkins.	Long of Wichita.
Baker.	Mankin.
Barnett.	Marks.
Beck.	Martin.
Bounds.	McCombs.
Bradley.	McDonald.
Brooks.	McGill.
Carpenter.	Mehl.
Coltrin.	Metcalfe.
Cox of Navarro.	Moore.
Cox of Lamar.	Nicholson.
Cox of Limestone.	O'Neill.
Davis.	Palmer.
DeWolfe.	Pavlica.
Dunlap.	Petsch.
Duvall.	Pope of Jones.
Enderby.	Pope of Nueces.
Ewing.	Purl.
Eickenroht.	Quinn.
Finn.	Ray.
Forbes.	Renfro.
Gates.	Richardson.
Gerron.	Rogers.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Graves of Erath.	Shaver.
Hardy.	Shelton.
Harman.	Sherrill.
Harper.	Shipman.
Harrison.	Simmons.
Heaton.	Sinks.
Hines.	Smith.
Holder.	Speck.
Hopkins.	Stephens.
Hornaday.	Storey.
Jenkins.	Strong.
Johnson	Tarwater.
of Dimmit.	Thompson.
Johnson of Smith.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Keeton.	Veatch.
King.	Waddell.
Kinnear.	Wallace.
Land.	Walters.

Webb.  
White.  
Williams  
  of Sabine.

Williams  
  of Travis.  
Woodall.  
Woodruff.  
Young.

Nays—2.

Albritton.

Kennedy.

Present—Not Voting.

Bond.

Brice.

Absent.

Acker.  
Anderson.  
Bateman.  
Chastain.  
Conway.  
Gilbert.  
Harding.  
Hefley.  
Hogg.  
Hubbard.  
Keller.

Kemble.  
Maynard.  
Montgomery.  
Mullally.  
Negley.  
Pool.  
Reader.  
Snelgrove.  
Stevenson.  
Thurmond.  
Wiggs.

Absent—Excused.

Avis.  
Baldwin.  
Finlay.  
Fuchs.  
Johnson of Scurry.  
Kayton.  
Kenyon.  
Kincaid.  
Lee.  
Loy.  
Mauritz.  
McKean.

Minor.  
Morse.  
Mosely.  
Murphy.  
Olsen.  
Patterson.  
Prendergast.  
Reid.  
Warwick.  
Westbrook.  
Williams  
  of Hardin.

The Speaker then laid House bill No. 158 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.  
Ackerman.  
Adkins.  
Albritton.  
Baker.  
Barnett.  
Beck.  
Bounds.  
Bradley.  
Brooks.  
Carpenter.  
Chastain.  
Coltrin.  
Cox of Navarro.  
Cox of Lamar.  
Cox of Limestone.  
Davis.  
DeWolfe.

Dunlap.  
Duvall.  
Enderby.  
Ewing.  
Eickenroht.  
Finn.  
Forbes.  
Gates.  
Gerron.  
Giles.  
Graves of Erath.  
Hardy.  
Harman.  
Harper.  
Harrison.  
Heaton.  
Hines.  
Holder.

Hopkins.	Richardson.
Hornaday.	Rogers.
Johnson	Rountree.
of Dimmit.	Sanders.
Johnson of Smith.	Savage.
Jones.	Shaver.
Justiss.	Shelton.
Keeton.	Sherrill.
Kennedy.	Shipman.
King.	Simmons.
Kinnear.	Sinks.
Land.	Smith.
Lemens.	Speck.
Long of Houston.	Stephens.
Long of Wichita.	Storey.
Mankin.	Strong.
Marks.	Tarwater.
Martin.	Thompson.
McCombs.	Tillotson.
McDonald.	Turner.
McGill.	Van Zandt.
Mehl.	Veatch.
Metcalfe.	Waddell.
Moore.	Wallace.
Nicholson.	Walters.
O'Neill.	Webb.
Palmer.	White.
Pavlica.	Williams
Petsch.	of Sabine.
Pope of Jones.	Williams
Pope of Nueces.	of Travis.
Purl.	Woodall.
Quinn.	Woodruff.
Ray.	Young.
Renfro.	

Present—Not Voting.

Brice.

Absent.

Acker.	Keller.
Anderson.	Kemble.
Bateman.	Maynard.
Bond.	Montgomery.
Conway.	Mullally.
Gilbert.	Negley.
Graves	Pool.
of Williamson.	Reader.
Harding.	Snelgrove.
Hefley.	Stevenson.
Hogg.	Thurmond.
Hubbard.	Wiggs.
Jenkins.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

## SENATE BILL NO. 133 ON SECOND READING.

On motion of Mr. DeWolfe, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 133, A bill to be entitled "An Act fixing the salary of short-hand court reporters in all counties."

The Speaker laid the bill before the House, and it was read second time.

Mr. Wallace offered the following amendment to the bill:

Amend Senate bill No. 133 by inserting the following just before the words "three thousand": "not to exceed."

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend Senate bill No. 133, Section 1, page 1, by inserting after the word "annum," in line 19, the following:

"Including expenses authorized by Chapter 56, Acts of the Regular Session of the Forty-first Legislature."

Mr. Woodall moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, it was lost by the following vote:

Yeas—26.

Ackerman.	Lemens.
Barnett.	Marks.
Bond.	Renfro.
Cox of Limestone.	Rogers.
Davis.	Sanders.
Enderby.	Speck.
Graves of Erath.	Stephens.
Hines.	Storey.
Jenkins.	Thompson.
Jones.	Turner.
Justiss.	Veatch.
Kennedy.	Wallace.
King.	Young.

Nays—74.

Mr. Speaker.	Dunlap.
Adkins.	Duvall.
Albritton.	Ewing.
Baker.	Eickenroht.
Bateman.	Finn.
Beck.	Forbes.
Bounds.	Gates.
Bradley.	Gerron.
Brice.	Giles.
Brooks.	Graves
Carpenter.	of Williamson.
Chastain.	Hardy.
Coltrin.	Harman.
Cox of Navarro.	Harper.
Cox of Lamar.	Harrison.
DeWolfe.	Holder.

Hopkins.	Quinn.
Hornaday.	Ray.
Johnson	Richardson.
of Dimmit.	Rountree.
Johnson of Smith.	Shaver.
Keeton.	Shelton.
Kinnear.	Sherrill.
Land.	Shipman.
Long of Houston.	Simmons.
Long of Wichita.	Sinks.
Mankin.	Smith.
Martin.	Strong.
McCombs.	Tarwater.
McDonald.	Thurmond.
McGill.	Tillotson.
Mehl.	Van Zandt.
Metcalfe.	Waddell.
Moore.	Walters.
Nicholson.	White.
O'Neill.	Williams
Palmer.	of Sabine.
Pavlica.	Williams
Petsch.	of Travis.
Pope of Jones.	Woodall.
Pope of Nueces.	Woodruff.
Purl.	

Present—Not Voting.

Heaton.

Absent.

Acker.	Montgomery.
Anderson.	Mullally.
Conway.	Negley.
Gilbert.	Pool.
Harding.	Reader.
Hefley.	Savage.
Hogg.	Snelgrove.
Hubbard.	Stevenson.
Keller.	Webb.
Kemble.	Wiggs.
Maynard.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

Senate bill No. 133 was then passed to third reading.

#### SENATE BILL NO. 133 ON THIRD READING.

Mr. Hornaday moved that the constitutional rule requiring bills to be read on three several days be suspended and

that Senate bill No. 133 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—82.

Mr. Speaker.	McGill.
Adkins.	Mehl.
Baker.	Metcalfe.
Bateman.	Moore.
Beck.	Nicholson.
Bounds.	O'Neill.
Bradley.	Palmer.
Brooks.	Pavlica.
Carpenter.	Petsch.
Chastain.	Pope of Jones.
Coltrin.	Pope of Nueces.
Cox of Navarro.	Purl.
Cox of Lamar.	Quinn.
DeWolfe.	Ray.
Dunlap.	Richardson.
Duvall.	Rountree.
Enderby.	Sanders.
Eickenroht.	Shaver.
Forbes.	Shelton.
Gates.	Sherrill.
Gerron.	Shipman.
Giles.	Simmons.
Graves	Sinks.
of Williamson.	Smith.
Hardy.	Stevenson.
Harman.	Storey.
Harper.	Strong.
Harrison.	Tarwater.
Holder.	Thurmond.
Hopkins.	Tillotson.
Hornaday.	Van Zandt.
Johnson	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.
Justiss.	Webb.
Keeton.	White.
Kinnear.	Williams
Land.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Mankin.	Woodall.
Martin.	Woodruff.
McCombs.	Young.
McDonald.	

Nays—20.

Ackerman.	Jenkins.
Albritton.	Jones.
Barnett.	Kennedy.
Bond.	Lemens.
Cox of Limestone.	Marks.
Davis.	Renfro.
Ewing.	Rogers.
Graves of Erath.	Stephens.
Heaton.	Turner.
Hines.	Veatch.

Absent.

Acker.	Brice.
Anderson.	Conway.

Finn.	Montgomery.
Gilbert.	Mullally.
Harding.	Negley.
Hefley.	Pool.
Hogg.	Reader.
Hubbard.	Savage.
Keller.	Snelgrove.
Kemble.	Speck.
King.	Thompson.
Maynard.	Wiggs.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Morse.
Finlay.	Mosely.
Fuchs.	Murphy.
Johnson of Scurry.	Olsen.
Kayton.	Patterson.
Kenyon.	Prendergast.
Kincaid.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 133 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—83.

Mr. Speaker.	Johnson
Adkins.	of Dimmit.
Baker.	Justiss.
Bateman.	Keeton.
Beck.	Kinnear.
Bounds.	Land.
Bradley.	Lemens.
Brooks.	Long of Houston.
Carpenter.	Long of Wichita.
Coltrin.	Mankin.
Cox of Navarro.	Martin.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDonald.
DeWolfe.	McGill.
Dunlap.	Mehl.
Duval.	Metcalfe.
Enderby.	Moore.
Ewing.	Nicholson.
Eickenroht.	O'Neill.
Finn.	Palmer.
Forbes.	Pavlica.
Gates.	Petsch.
Gerron.	Pope of Jones.
Giles.	Pope of Nueces.
Graves	Purl.
of Williamson.	Ray.
Hardy.	Richardson.
Harman.	Rountree.
Harper.	Sanders.
Harrison.	Shaver.
Holder.	Shelton.
Hopkins.	Sherrill.
Hornaday.	Shipman.
Johnson of Smith.	Simmons.

Sinka.	Walters.
Smith.	Webb.
Storey.	White.
Strong.	Williams
Tarwater.	of Sabine.
Thompson.	Williams
Thurmond.	of Travis.
Tillotson.	Woodall.
Van Zandt.	Woodruff.
Waddell.	Young.

## Nays—18.

Ackerman.	Jenkins.
Albritton.	Jones.
Barnett.	Kennedy.
Bond.	Marks.
Chastain.	Renfro.
Davis.	Rogers.
Graves of Erath.	Stephens.
Heaton.	Turner.
Hines.	Veatch.

## Present—Not Voting.

Quinn.

## Absent.

Acker.	Maynard.
Anderson.	Montgomery.
Brice.	Mullally.
Conway.	Negley.
Gilbert.	Pool.
Harding.	Reader.
Hefley.	Savage.
Hogg.	Snelgrove.
Hubbard.	Speck.
Keller.	Stevenson.
Kemble.	Wiggs.
King.	

## Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Johnson of Scurry.	Patterson.
Kayton.	Prendergast.
Kenyon.	Reid.
Kincaid.	Wallace.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.
Minor.	

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Barnett, Senate bill No. 83 was ordered not printed.

On motion of Mr. Rountree, Senate bill No. 145 was ordered not printed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 18, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of a free conference committee to adjust the differences on House bill No. 86. The following are appointed as conferees on part of the Senate:

Senators Hornsby, Woodul, Stevenson, DeBerry and Neal.

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### RELATING TO ABSENT MEMBERS.

Mr. McCombs moved that the Speaker be requested to wire all absent members that their presence is needed in the House on next Monday.

The motion prevailed.

Mr. Albritton moved a call of the House for the purpose of maintaining a quorum until 7 o'clock p. m., and the motion was not seconded.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 28, "An Act providing for the concentration of the Texas prison system; increasing the duties, powers and functions of the Texas Prison Board; providing for the construction and building of buildings and walls and the location of a new penitentiary; providing for the removal of prisoners; providing for the purchase and sale of land and the sale and manner thereof of property now controlled and used by the prison system; providing for purchase and sale of products by said system and also by the Board of Control for other State institutions and purposes; making an appropriation, and declaring an emergency."

H. B. No. 76, "An Act for the eradication of contagious, infectious and communicable diseases among cattle, horses, mules, asses, sheep, goats, hogs and other live stock, domestic animals and domestic fowls; also other diseases; providing for the establishment of quarantines, and penalties for violations of provisions of this act; providing for the testing of cattle for tuberculosis and branding cattle that show a positive reaction to a tuberculin test, and declaring an emergency."

#### RECESS.

On motion of Mr. Forbes, the House, at 6 o'clock p. m., took recess to 10 o'clock a. m. next Monday.

#### APPENDIX.

##### STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

State Affairs: Senate bills Nos. 10, 133.

Judiciary: Senate bill No. 105.

Insurance: Senate bill No. 142.

School Districts: Senate bills Nos. 70, 112, 35.

Judicial Districts: Senate bills Nos. 135, 117.

##### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 204, A bill to be entitled "An Act to provide for the conversion of navigation districts created and organized under Section 52 of Article 3 of the Constitution of the State of Texas into navigation districts under the reclamation and conservation provisions of Section 59 of Article 16 of the Constitution, etc., and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,

Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 131, A bill to be entitled "An Act to better assure and protect the membership and subordinate lodges of fraternal benefit societies against sales and mergers of such societies without the consent of the local lodges, and to provide a legal way whereby same may be done when it is desired to change such society into a mutual or stock company; providing ways and means for securing the approval of the members of such societies, as represented by the subordinate branches;

giving the members preference in the way of stock ownership or mutual participation; and providing for a fair distribution of same among the membership; providing further, that the new company so incorporated shall succeed to all contracts, liabilities and property rights of the former society, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 25, A bill to be entitled "An Act authorizing the county board of trustees of each organized county to detach from one and add to another school district territory contiguous to the common boundary line of the districts affected; providing for the adjustment of outstanding indebtedness; repealing laws in conflict, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 23, A bill to be entitled "An Act vesting the right of eminent domain in the Board of Managers of the North Texas Junior Agricultural, Mechanical and Industrial College, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 208, A bill to be entitled "An Act to amend Title 55, of the Revised Civil Statutes of the State of Texas, 1925, by adding thereto Article 3769a; providing that in the trial of any civil suit or proceeding in any justice court, county court or district court of this State, either the plaintiff or the defendant shall have the right to call as a witness the adverse party or par-

ties, and further providing that the answers of such adverse party as a witness shall not deprive the other party of the right to introduce other evidence or impeach the witness or the witness' testimony, and further providing that in the examination of such adverse party as a witness the questions asked may be leading."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 55, "An Act to amend Article 7414 of the Revised Civil Statutes of 1925, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 19, "An Act providing for the compensation and hospitalization under certain conditions of certain employees of the State penitentiary system, repealing all laws in conflict therewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 162, "An Act creating and defining by metes and bounds Road District No. 3 of Colorado county, Texas, under the authority of Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; provided, that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas, etc., and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 159, "An Act to amend Chapter 25 of the General Laws passed by the Thirty-ninth Legislature, at its Regular Session in 1925, by adding a new section to said chapter to be known as Section 84a, authorizing such districts to declare an emergency in certain cases and under certain limitations and to issue interim bonds in evidence of such emergency loans, and pledge taxes and bonds of the district to secure payment of such emergency loans evidenced by such interim bonds; and to further amend said Chapter 25 by adding to said chapter two other additional sections to be known as Sections 75a and 75b; Section 75a to provide for the adding to the area of water control and improvement districts which are known as 'municipal districts' so that the boundaries of such districts shall include the total area of an included city or town embraced in, and served by such district and providing for a hearing on benefits and providing for exclusion of lands in an appropriate case, and Section 75b to provide that territory not embraced in a water control and improvement district may be annexed to such a district in the same manner as is provided for the creation of such a district, and as set out in this act; providing that if any part of this act be held unconstitutional such decision shall not affect the validity of the remaining portion of this act; providing that the provisions of this act shall not repeal any former statute on the subject of water control and improvement districts but shall be cumulative thereof; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 95, "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Cass county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 142, "An Act to validate proceedings of the district court of the Thirty-fourth Judicial District of Texas, sitting at El Paso, in certain criminal matters, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 209, "An Act renewing and extending Oil and Gas Permit No. 8845 issued by the Commissioner of the General Land Office on the 6th day of October, 1924, and Oil and Gas Permit No. 8861 issued by the Commissioner of the General Land Office on the 16th day of October, 1924, covering University lands in Pecos county, Texas, for an additional period of three years from and after the present respective dates of expiration of said permits, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 65, "An Act to amend Article 2963, Article 2965 and Article 2968 of the Revised Civil Statutes of Texas, relating to the mailing of poll tax receipts to certain persons, and providing

for the mailing of poll tax receipts to property taxpayers subject thereto; and providing that the poll tax receipts for persons who are not citizens of the United States shall be marked 'Not entitled to vote'; providing penalty for violation of this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 126, "An Act amending Chapter 345 of the Special Laws passed by the First Called Session of the Thirty-ninth Legislature, so as to provide for the refunding of the outstanding bonded indebtedness of Road District No. 9 of Houston county, Texas, by the commissioners court of said county; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 167, "An Act amending Chapter 258, page 534, of Regular Session Acts of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris and Titus counties; providing a penalty therefor, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 61, "An Act to amend Article 7117, of Chapter 5, of Title 122, of the Revised Civil Statutes of Texas, 1925 codification, so as to exempt from inheritance tax intangible personal property of a non-resident who was, at the time of his death, a resident of a State or Territory of the United States or of a foreign country which did not

impose a transfer or inheritance tax of any character in respect to intangible personal property of residents of this State, or whose laws contained a reciprocal provision under which non-residents were exempt from such transfer or inheritance tax of such intangible personal property, provided the State or Territory or foreign country of the residence of such non-resident allowed a similar exemption to residents of the State, Territory or foreign country of the residence of such decedent, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 80, "An Act to ratify and adopt in principle the Canadian River Compact between the States of New Mexico, Texas, Oklahoma and Arkansas, executed on the 31st day of December, 1926, by the Commissioners of said States, which ratification and adoption is made subject to certain conditions, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 28, "An Act providing for the concentration of the Texas Prison System; increasing the duties, powers and functions of the Texas Prison Board; providing for the construction and building of buildings and walls and the location of a new penitentiary; providing for the removal of prisoners; providing for the purchase and sale of land and the sale and manner thereof of property now controlled and used by the Prison System; providing for purchase and sale of products by said system and also by the Board of Control for said system and for other State institutions and purposes; making an appropriation; repealing all laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room.

Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 76, "An Act to provide for the eradication of contagious, infectious and communicable diseases among cattle, horses, mules, asses, sheep, goats, hogs, and other live stock, domestic animals and domestic fowls; also other diseases; providing for the establishment of quarantines by the Live Stock Sanitary Commission, providing penalties for violation of said quarantines, and penalties for other violations of provisions of this act; providing for the testing of cattle for tuberculosis and branding cattle that show a positive reaction to the tuberculin test; providing for the appointment by the Live Stock Sanitary Commission of a chief veterinarian and assistant veterinarians and other persons necessary for carrying out and enforcing the provisions of this act; providing for the adoption by the Live Stock Sanitary Commission of rules and regulations; authorizing veterinarians and inspectors employed by the Live Stock Sanitary Commission to enter private and public property for the performance of any duty authorized by this act; providing for the issuance of search warrants for veterinarians, inspectors, and others in the employ of the Live Stock Sanitary Commission, also peace officers, to enter upon private and public premises for any purposes of this act, and providing a penalty for refusal to permit such entry, and for refusal to permit said persons to carry out any of the provisions of this act; providing penalties for selling, giving away, loaning or otherwise disposing of any live stock which show a positive reaction to the tuberculin test; providing for the co-operation by county commissioners courts with the Live Stock Sanitary Commission and authorizing the employment by the commissioners courts of veterinarians; providing for the control of the purchase, sale and use of hog cholera virus, and providing penalties for the violation of said provisions; providing for the burial or burning of live stock that die of contagious or infectious diseases; providing for the co-operation by the Live Stock Sanitary Commission and county commissioners courts with the United States Bureau of Animal Industry for the eradication of tuberculosis among cattle, and pro-

viding for indemnification to owners for cattle slaughtered after reacting to the tuberculin test; prescribing the duties and authority of the Live Stock Sanitary Commission, and providing for the appraisal and condemnation of animals affected with glanders; and providing compensation to owners of said animals so condemned; repealing Articles 6900, 6901, and 6902, Revised Civil Statutes of 1925, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 183, "An Act fixing the salary of the county commissioners of certain counties according to the tax rolls of 1928 on file in the office of the State Comptroller; repealing all laws in conflict therewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 182, "An Act to provide more adequate compensation for county judges in counties which have voted road and bridge bonds amounting to six million dollars or more, and in addition, flood protection bonds amounting to one million dollars or more, and providing for the employment of a stenographer for such judge, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 18, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 97, "An Act to amend Articles 6221 of Title 109 of the Revised Civil Statutes of 1925, and amended by Chapter 153 of the Gen-

eral Laws of the Regular Session of the Forty-first Legislature, repealing Article 6222a of said chapter and all other laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 18, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 89, "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the repurchase of public school land in Gaines, Hudspeth, Kinney and Yoakum counties forfeited and re-appraised under Chapter 94, an act approved March 19, 1925, and as amended by Chapter 25, an act approved October 27, 1926, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for the filing thereof but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 120, "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245 of the Acts of the Regular Session of the Fortieth Legislature of Texas, and as amended in Chapter 5 of the Acts of the Regular Session of the Forty-first Legislature of Texas, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said article the counties of Archer, Briscoe, Brooks, Chambers, Fort Bend, Goliad, Gray, Hutchinson, Jeff Davis, Jim Hogg, Leon, Live Oak, Montgomery, Polk, Marion, Potter, Panola, Runnels, San Jacinto, Shackelford, Shelby, Terrell, Throckmorton, Uvalde,

Walker, Waller, Webb, Zapata and Zavala, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

## NINETEENTH DAY.

(Continued.)

(Monday, May 20, 1929.)

The House met at 10 o'clock a. m. and was called to order by Speaker Barron.

### HOUSE BILL NO. 93 WITH SENATE AMENDMENTS.

Mr. Montgomery called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 93, A bill to be entitled "An Act relating to banks and bank and trust companies; enacting Article 517a, Revised Civil Statutes of 1925, and providing against preferences in favor of depositors of banks and bank and trust companies by pledging the assets of such corporations, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Montgomery, the House concurred in the Senate amendments.

### CALL OF THE HOUSE ORDERED.

Mr. Woodruff moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The Sergeant-at-Arms was instructed to bring in all absent members in the city who are not ill.

### BILLS ORDERED NOT PRINTED.

On motion of Mr. Purl, Senate bill No. 36 was ordered not printed.

On motion of Mr. Holder, Senate bill No. 86 was ordered not printed.